

GEORGE MUNICIPALITY

BY-LAW RELATING TO THE REGULATING OF THE KEEPING OF DOGS AND CATS AND OTHER ANIMALS

To provide for the control over the number of dogs and cats that may be kept, the breeding with dogs and cats, control over dogs and cats and other animals by their owners, impoundment of stray dogs and cats and other animals, the prevention of nuisances and to provide for incidental matters.

Under the provisions of section 156(2) of the Constitution of the Republic of South Africa, 1996, the George Municipality enacts as follows:-

1. INTERPRETATION

1.1 Definitions

In this By-law, words used in the masculine gender include the feminine, the singular includes the plural and vice versa, the English text prevails in the event of an inconsistency between the different texts and unless the context otherwise indicates-

“authorised person” means an employee of the Municipality or any other person who is appointed or authorised thereto to perform any act, function or duty related to the provisions of this By-law, or exercise any power in terms of this By-law; and **“officer”** has a corresponding meaning;

“adjoining and affected neighbour” means a neighbour whose property directly abuts the common boundary of the applicant’s premises or which is located opposite or diagonally opposite the applicant’s premises;

“agricultural property” means land zoned for agricultural use in terms of any of the Municipality’s town planning schemes or any other related law;

“animal” means horse, pony, mule, donkey, cattle, pig, sheep, goat, camel, reptile (including snakes and tarantulas), pet-pigs dog, cat or other domestic animal, indigenous animal and other wild or exotic animal, but for the purposes of Chapter seven, excludes dogs, cats and working equines to the extent that they are regulated separately in other Chapters;

“animal drawn vehicle” means a standard designed cart with swivel and shafts which is attached to the working equine by means of a harness;

“applicant” means the owner or person having possession, charge, custody or control of that dog, cat or working equine;

“authorised official” means an officer authorised in terms of section 8 of the Animals Protection Act, 1962 (Act No. 71 of 1962) and any official of the Council who has been authorised by the Council to enforce the provisions of this By-Law;

“building”, whether temporary or permanent nature and irrespective of the material used;

“carcass” means the remains of any animal or poultry;

“cat” means both a male and a female cat of any age, unless otherwise specified;

“cattery” means premises in or upon which boarding facilities for cats are provided and/or cats are bred for commercial purposes;

“designated public area” means an area which will be identified by the Municipality, where owners / dog handlers and their dogs, taking into consideration the restrictions on vicious dogs, can walk their dogs;

“dog” means both a dog and a bitch of any age, unless otherwise specified;

“dog handler” means a competent adult who is in a position or capable in handling and / or control a vicious dog who is muzzled;

“duplex building” means a building of two storeys above ground level with a number of residential units, each of which also is two storied and has its own entrance from the street;

“duplex flat” means a block of flats where the division between the dwelling unit is vertical, having a maximum height of two storeys;

“Flats” means a building containing three or more dwelling units for human habitation, together with such outbuildings as are ordinarily used therewith;

“guide dog” means a dog which has been trained by a recognised facility to assist a blind or poor-sighted person and includes a service dog which has been trained to assist a person who is mentally or physically incapacitated;

“health nuisance” means any activity, condition, premises or thing which, on account of effluent, vapours, chemical effluvia, odours, noise, vibration, radiation, refuse, waste products, dirt, chemical or biochemical material, microbial infection, vermin, vegetation, overcrowding, lack of proper general hygiene, ventilation, lighting, design, situation or on account of any other cause or practise whatsoever, is /are in the opinion of the Director: Community Services or a duly authorised Municipal employee potentially injurious or dangerous to health or which is /are offensive, including, without affecting the generality of the foregoing, any facility for the storage, distribution or handling of water that is likely to be used by man for domestic purposes or consumption, including such water itself, which is contaminated or polluted;

“keep” in relation to a dog, means to have such dog in possession, under control or in custody or to harbour such dog;

“kennels” means premises in or upon which –

- (a) boarding facilities for dogs are provided;
- (b) dogs are bred for commercial purposes;
- (c) dogs are kept for the purposes of being trained or hired out with or without handlers; or
- (d) dogs are kept for commercial security purposes;

“Municipality” means the Municipality of George established in terms of section 12 of the Municipal Structures Act, 117 of 1998, and includes duly authorised agent, service provider or any employee thereof acting in connection with this By-law by virtue of a power vested in the Municipality and delegated or sub-delegated to such agent, service provider or employee;

“muzzled”, when describing a dog, means fastened or controlled around the mouth, with an appropriate standard muzzle, so as to prevent the dog from biting but not panting or drinking;

“owner” in relation to a dog and/or cat, means any person who keeps or has the possession, charge, custody or control of a dog and/or cat and includes any person to whom a dog and/or cat has been entrusted or who has control of a dog and/or cat in respect of any site within the area of jurisdiction of the Municipality where such dog and/or cat is kept or is permitted to live or remain;

“permit” means the written permission granted by the Municipality in terms of this By-law, subject to a fee payable according to the municipal tariff structure;

“person” includes any sphere of government, natural and juristic person;

“poultry” means any fowl, including goose, ostrich, duck, pigeon, dove, turkey, guinea-fowl, parrot, peacock/pea-hen or any other bird whether domesticated or wild;

“pet parlour” means an establishment where pets are groomed;

“pet shop” means an establishment where pets are kept for trading purposes;

“premises” means any piece of land registered in a deeds registry as an erf, lot, plot, or stand as part of a township, and includes a stand or lot forming part of a piece of land laid out as a township, but not yet registered, or a portion of such erf, stand or lot and includes residential sites outside townships provided by government departments, semi-government institutions or industries;

“pound” means a place designated by the Municipality in terms of any law for the impounding, sale and destruction of animals and includes the premises of the organisation and any other animal welfare organisation recognised by the Municipality;

“pound master” means a person who has been appointed by the Council to be in charge of;

“public place” means any road, street, thoroughfare, bridge, trail, pavement, alley, square, open place, garden, park, beach, school or open space in the area of jurisdiction of the Municipality to which the public has free access or at any time zoned or been declared or rendered such by any competent authority;

“public road” means any road, street or thoroughfare or any other place which is commonly used by the public or any section thereof or to which the public or any section thereof has a right of access, and includes-

- (a) the verge of any such road, street or thoroughfare;
- (b) any footpath, sidewalk or similar pedestrian portion of a road reserve;
- (c) any bridge, ferry or drift traversed by any such road, street or thoroughfare;
- (d) any other object belonging to such road, street or thoroughfare, footpath or side walk; and
- (e) any premises with or without structures thereon, used or set aside as a public parking area or public parking place for the parking of motor vehicles whether or not access to such a parking area or place is free of charge.

“security dog” means any dog kept at any time on a non-residential property for the purposes of dissuading unauthorised entry to the property.

“structure” means any stable, shed, pigsty, kraal, aviary, paddock, covering structure, poultry house, enclosure, run, loft or building, used for the keeping, housing or enclosing of animals and poultry;

“townhouse” means a dwelling unit which forms part of a town housing scheme;

“town housing” means a row or group of linked and/or attached dwelling units planned, designed and built as a harmonious architectural entity, of which every dwelling unit has a ground floor; such dwelling units may be cadastrally subdivided;

“vicious dogs”, means

- (a) a dog that without provocation has bitten or caused injury to a human being or to a domestic animal, but does not include a dog that has bitten or injured a trespasser; and
- (b) a Staffordshire Bull Terrier, Bull Terrier, Pit Bull and any dog generally recognised as such breeds and includes a dog of mixed breed with predominant characteristics of these breeds;
- (c) any other dog which causes a threat and / or disturbance / nuisance to the public;

“working equine” means a horse, donkey, mule or ass that is used for pulling an animal drawn vehicle (or carrying an unreasonable load) for financial gain.

1.2 Administration and enforcement

- (a) The Director: Community Services is responsible for the administration and enforcement of this By-law.
- (b) The Director may delegate in writing any power or duty granted to him in terms of this By-law to a competent official in his Directorate, as well as in conjunction with personnel of the SPCA, being the appointed agent of the Municipality and any other future service providers.

2. APPLICATION

- 2.1 For the purpose of managing, prevention and to reduce the nuisance or negative impacts due to the keeping of dogs and/or cats, the Municipality may determine the number and sex of dogs and/or cats that may be kept and the areas within which the keeping of such dogs and/or cats shall be regulated or prohibited.
- 2.2 The Municipality may by special resolution determine and impose a tax on the keeping of dogs, and categories of dogs of which no tax shall be payable in its Municipal area.
- 2.3 The Municipality shall issue a licence upon payment of the tax to the Municipality. The tariff will be determined in accordance with the Municipality's Tariff Policy.
- 2.4 The public can report any complaints which is in contravention of this By-law, to the authorised person and/or authorised official as defined in this By-law.

3. NUMBER OF DOGS AND CATS

- 3.1 The maximum number of dogs and cats that are allowed to be kept, depending on the size of the dwelling/property, are as follows:

Type of Property	Size of Property	Maximum Number of Dogs / Cats
Dwelling Unit	E.g. Flat/Duplex	2 Dogs / 2 Cats*
Dwelling House	Less than 600 m ² erf	2 Dogs / 2 Cats*
Large Dwelling House	More than 600 m ² erf	2 Dogs / 2 Cats*
Agricultural Property or smallholding	Land of no less than 2.5 hectares or zoned for Agricultural use	4 Dogs / 4 Cats*

* over the age of four (4) months

- 3.1.1 A person residing in a flat as defined in terms of section 1.1

- (a) shall not be allowed to own medium / big dogs and/or vicious dogs.

- 3.1.2 Owners and Body Corporates or Home Owners Associations should comply to this by-law when developing their constitutions.

3.2 The provisions in section 3.1 shall not apply to-

- (a) premises that is used as a veterinary clinic or veterinary hospital;
- (b) an organisation whose object is the training of dogs to be guide dogs for blind persons or dogs that are used by a blind persons as guides;
- (c) a security organisation where dogs are kept for security services or for training purposes;
- (d) a person who, at the proclamation of this by-law, already has more than the allowed number of dogs and such person may not replace any dog exceeding the allowed number without the prior written consent of the Municipality in terms of section 3(1), if such dog die or has been disposed of;
- (e) any person, who resides outside the municipal area, who brings in dogs for a temporary visit not exceeding 30 (thirty) days from time of arrival;
- (f) the Society for the Prevention of Cruelty Against Animals and other registered animal welfare organisations;
- (g) entities which are registered at the Municipality and other related entities, such as dog kennels, pet shops or pet parlours where dogs are given temporary residence.
- (h) working dogs such as hearing dogs, therapy dogs, guide dogs, helping dogs and sport dogs, but that proof of registration with the relevant Association needs to be in place (for example registered by KUSA (Kennel Union of South Africa) Working Dog Federation and SADDA (South African Dog Agility Association)).

4. SPECIFIC REQUIREMENTS WITH REGARDS TO DOGS

In considering an application in terms of 4.1.3 below the Municipality will:

- (a) request proof that the applicant has been rehabilitated, i.e. that the person is declared fit to keep a dog; and
- (b) obtain a report from the SPCA, declaring that the person is fit to keep a dog.

4.1 Restriction on number of dogs

4.1.1 The Municipality may determine the number of dogs that may be kept on any premises.

- (a) two dogs, or with permission more than two dogs, over the age of four months, to be kept on premises as identified under section 3;
- (b) four dogs, or with permission more than four dogs, over the age of four months, to be kept on an agricultural property or larger, as identified under section 3;
- (c) more than two dogs if the dogs fall under 3.2(h).

4.1.2 Subsection (1) does not apply to any person who —

- (a) is the holder of a permit issued in terms of section 4.4 to keep a greater number of dogs;
- (b) is the holder of a permit to keep kennels;
- (c) is the owner or manager or is in charge of, a pet shop and who has written proof that all the dogs under the control of such owner or manager have been vaccinated against canine distemper, hepatitis, kennel cough and parvovirus;
- (d) is the owner or is in charge of premises where guide dogs are being kept or trained; and such guide dogs are kept or trained under the auspices of the SA Guide Dogs Association;
- (e) is the owner or manager of a veterinary clinic or similar animal hospital, provided they provide proof; or
- (f) is in charge of dogs owned by a SPCA, department of the Municipality as specified in the definition of "Municipality", the South African Police Service or the South African Defence Force, and are kept for operational purposes;
- (g) operates a pound.

4.1.3 A person whose permit to keep a dog has been cancelled or who has previously had a dog removed from his or her care or has a previous criminal conviction or civil judgment against him or her in respect of cruelty to an animal, may not keep a dog, unless the Municipality determines otherwise.

4.2 Sterilization of dogs

4.2.1. All dogs (male and female) over 6 months of age must be sterilized;

4.2.2. An authorised official may cause a dog to be sterilized should he or she deem it necessary,

- (a) in the interests of the welfare of the dog
- (b) to prevent nuisance
- (c) when the dog is stray
- (d) on the request of the owner
- (e) in accordance with this by-law

and the costs thereof may be recovered from the owner.

4.2.3. The owner of a sterilized dog must obtain proof from a registered veterinarian that the dog has been sterilized and must produce such document for inspection to any authorised official on demand.

4.2.4. Subsection (1) does not apply to any dog where the owner obtains a permit from the Municipality to keep the dog unsterilized.

4.3 Permit to keep an unsterilized dog

4.3.1 Any person or breeder wishing to keep an unsterilized dog, with or without the intention to breed, must obtain a permit from the Municipality.

- (a) An application to keep an unsterilized dog, must be in writing on a prescribed form and must be accompanied by the prescribed fee. Any applications in terms of sub-section (a) must be submitted-
 - (i) in the prescribed form and must contain an exposition of the breed, gender and number of dogs applied for;
 - (ii) plans and specifications of structures in which it is proposed to keep the dogs;
 - (iii) a site plan indicating all existing or proposed structures and fences on the premises for which the permit is required;
 - (iv) and the written consent of the surrounding neighbours;
 - (v) any other information requested.
 - (vi) proof of registered breeder at KUSA (Kennel Union South Africa) or the specific dog breeds federation
- (b) The Municipality may require a property inspection and payment of the prescribed inspection cost and also require from the applicant to provide any information which it considers relevant to enable it to make an informed decision.
- (c) The Municipality may refuse to consider an application if the dog or premises are deemed unsuitable for breeding purposes by the inspecting officials.
- (d) A permit is not transferable from one dog to another or from the premises in respect of which it has been issued, to other premises.
- (e) Permit applications and fees are to be renewed annually.
- (f) Should an unsterilized dog be sterilized by a registered veterinarian during the permit period, proof of sterilization must be submitted to the Municipality together with the original permit.
- (g) The Municipality will be assisted by the SPCA in the administration of processing applications for permits.

4.4 Permits to keep more dogs than the prescribed number

4.4.1 Any person or breeder who wants to keep a greater number of dogs on premises than the number permitted in terms of section 3 must apply to the Municipality for a permit which will not be unreasonably withheld.

4.4.2 An application in terms of subsection (1) must be in writing on a prescribed form and must be accompanied by the prescribed fee. The same information as stipulated in 4.3 1(a) must also be submitted.

4.4.3 The Municipality may require a property inspection and the applicant to provide any information which it considers relevant to enable it to make an informed decision.

- 4.4.4 The Municipality may refuse to consider an application in terms of subsection (1) in respect of which the provisions of subsection (2) have not been complied with or information contemplated in subsection (3), has not been furnished.
- 4.4.5 The Municipality may only consider an application in terms of subsection (1) after receipt of a written report from an authorised official-
- (a) as to whether the number of dogs for which the permit is required is likely to cause a public health hazard or the keeping of such a number of dogs may result in a contravention of section 4.6;
 - (b) setting out the results of an inspection of the premises on which the dogs concerned are being kept or are to be kept; and
 - (c) as to whether the applicant has previously had a dog removed from his or her care or has a previous criminal conviction or civil judgment against him or her in respect of cruelty to an animal.
- 4.4.6 The Municipality may refuse an application in terms of subsection (1) or approve it subject to any conditions aimed at reducing the risk of any public health hazard created by the dogs on the premises concerned occurring, continuing or recurring or to reduce such risk to a level acceptable to the Municipality.
- 4.4.7 In respect of any application approved in terms of subsection (6), an authorised official must issue a permit on a prescribed form specifying every condition imposed by the Municipality.
- 4.4.8 A permit is not transferable from one person to another or from the premises in respect of which it has been issued, to other premises.

4.5 Amendment, suspension and cancellation of permits

The Municipality may, after consideration of a report and recommendation of an authorised official or veterinary surgeon, by written notice to the holder of a permit contemplated in sections 2 and 4 –

- (a) amend, suspend or cancel that permit if it is satisfied that failure to do so would result in –
 - (i) the creation or continuation of a public health hazard; or
 - (ii) a continued contravention of any provision of section 4.6;
- (b) with immediate effect amend, suspend or cancel that permit if
 - (i) such official is of the view that it is urgently necessary to do so to eliminate or reduce a significant risk to the public posed by a public health hazard or potential public health hazard; or

- (ii) there is a criminal case pending against the permit holder or a civil case which the permit holder is a party to, involving cruelty to an animal.
- (c) The Municipality will be assisted by the SPCA in the administration of processing applications for permits, all permits will be issued by the Municipality.

4.6 Prohibitions relating to the keeping of dogs

No person shall –

- (a) permit any bitch in season owned or kept by him or her to be in any public street or public place;
- (b) urge any dog to attack, worry or frighten any person or animal or through negligence fail to prevent any dog from attacking, worrying or frightening any person or animal, except where necessary for the defence of such first-mentioned person or his or her property or of any other person;
- (c) keep any dog which causes damage to public property;
- (d) keep a dog tethered by chain or any other means;
- (e) keep any dog in the faeces of which he or she fails to remove regularly enough to not to constitute a health hazard and dispose of such faeces in a suitable manner;
- (f) keep any dog which barks, howls or whines to such an extent that it causes an unreasonable disturbance or nuisance to inhabitants of the neighbourhood, or has another habit that causes an unreasonable disturbance or nuisance to inhabitants of the neighbourhood;
- (g) keep any dog which is starved or under-fed or denied constant access to clean water and adequate shelter;
- (h) keep any dog which causes a nuisance to inhabitants of the neighbourhood by having acquired the habit of charging any vehicle, animals, poultry, birds or persons outside any premises where it is kept; or
- (i) permit any dog owned or kept by him or her –
 - (i) to be in any public street or public place while suffering from mange or any other infectious or contagious disease and cannot prove that the dog is under treatment by a registered veterinarian or animal welfare society and is no longer a public health hazard;
 - (ii) to go untreated by a qualified veterinarian if severely sick or injured;
 - (iii) which is in the assessment of the authorised official ferocious, vicious or dangerous, to be in any public street or public place, unless it is humanely muzzled and contained on a leash and under control;
 - (iv) to trespass on private property;
 - (v) to constitute a hazard to traffic using any public street;
 - (vi) to constitute or to his or her knowledge be likely to constitute a source of danger or injury to any person outside the premises on which such dog is kept;

- (vii) to be in any public street or public place except on a leash and under control unless the dog is in an area designated by the Municipality as a free running area;
 - (viii) to be left alone unattended in an open bakkie in any public place or public street;
 - (ix) to be left alone unattended in a closed vehicle / bakkie in any public place or public street;
 - (x) to keep a vicious dog on a property without displaying a board outside the property of a possible danger.
- (j) Permit any vicious or dangerous dog to be in any public street or public place unless it is humanely muzzled and contained in a leash and under control by a competent adult dog handler.
 - (k) Keep any dog which does not have on its collar or micro-chip the owner's contact details or reference to a society for the prevention of cruelty to animals or registered animal welfare organisation;
 - (l) Provoke, harass, terrify or tease any dog;
 - (m) Hawk any dog, including selling puppies or kittens in a public place.

4.7 Seizure, impounding and destruction of dogs

4.7.1 An authorised official or a person authorised thereto by a person, body or structure contemplated in the definition of Municipality, may enter any premises and seize and impound at a place appointed by the Municipality any dog which-

- (a) may be destroyed in terms of the provisions of subsection 4.7.10 or any other law;
- (b) in his or her opinion is suffering from mange or any other infectious or contagious disease;
- (c) in his or her opinion constitutes a hazard to traffic using any public street;
- (d) is at large and apparently without an owner;
- (e) is found in any public place or public street where such a dog is, in the opinion of the authorised official, not on a leash or under proper control, unless the dog is in an area designated by the Municipality as a free running area;
- (f) enters any premises while an authorised official is attempting to take it into custody;
- (g) is starved or under-fed or denied adequate access to water or shelter;
- (h) is confined inhumanely; or
- (i) is being kept in contravention of any of the conditions of this by-law.
- (j) is a vicious dog and is in public street or public place and not muzzled.

- 4.7.2 Any person may on premises of which he or she is the owner or occupier, take into custody any dog found trespassing thereon or therein for the purpose of having it impounded.
- 4.7.3 Notwithstanding the provisions of subsections 4.7.1 and 4.7.2, no person may take any dog into custody for the purpose of having it impounded if there are reasonable grounds to believe that the dog is a female dog with unweaned young, unless such dog and unweaned young are taken into custody together.
- 4.7.4 Any person who has taken a dog into custody in terms of this section-
- (a) must ensure that the dog is not ill-treated; and
 - (b) may, when the pound is closed, keep the dog in his or her custody until the pound re-opens.
- 4.7.5 No person may free any dog which has been taken into custody by an authorised official, or is being kept in custody in terms of this section or which has been impounded.
- 4.7.6 The SPCA shall keep a record of all dogs seized and impounded in terms of this By-law indicating the species, marks and distinguishing peculiarities (if any) of such dogs, as well as the last date for their release or otherwise, and such records shall be open for inspection by the public at the Offices of the SPCA during office hours.
- 4.7.7 Any person may claim an impounded dog if he or she -
- (a) satisfies the pound master that he or she is the owner or is otherwise entitled to the custody of the dog concerned;
 - (b) satisfies the pound master that releasing the dog into his or her custody will not result in any provision of this by-law being contravened;
 - (c) pays to the pound master the prescribed fees and the amount of veterinary expenses, if any, incurred in respect of the dog; and
 - (d) once the dog is being sterilised, if it is over four (4) months of age at the cost of the owner, as arranged with the SPCA.
- 4.7.8 A dog impounded in terms of subsection 4.7.1, other than a dog so impounded in terms of subsection 4.7.1 (b), shall be released to the owner or person keeping such dog upon payment of the fee as fixed by the Municipality and has been sterilized.
- 4.7.9 A dog impounded in terms of subsection 4.7.1, other than a dog so impounded in terms of subsection 4.7.1 (b), may be sold or destroyed after it has been detained for not less than seven days and after such destruction has been approved by a qualified veterinarian, unless it has been claimed and released in terms of subsection 4.7.7 or subsection 4.7.8.

4.7.10 Notwithstanding the provisions of subsection 4.7.9, a dog which has been seized or impounded in terms of –

- (a) subsection 4.7.1 (b); or
- (b) any provision of this By-law or the provisions of any other law and which is found by the authorised official —
 - (i) to be suffering from any incurable, infectious or contagious disease, or to be suffering from being severely sick or injured;
 - (ii) to be ferocious, vicious or dangerous,

may be destroyed forthwith.

4.7.11 If an authorised official is of the opinion that a dog is a dog contemplated by the provisions of section 4.7.6, he or she may —

- (a) cause a notice to be served on the owner of such dog requiring such owner to take such steps as will effectively abate such nuisance/contravention and to establish to the satisfaction of the authorised official that such dog is being properly kept;
- (b) impound the dog and deal with it in terms of this section, provided that such dog shall not be released to its owner unless such owner, within the period of seven days contemplated by section 4.7.9, provides the authorised official with satisfactory proof that such dog, if released to him or her, will not cause any further nuisance and will be kept under control.

4.7.12 The destruction of any dog shall be by such painless method as may be approved by a registered veterinarian and shall take place under the supervision of an authorised official.

4.7.13 The proceeds of any sale shall be used to help defray costs connected with such sale and the impounding of such dog.

4.7.14 Neither the Municipality nor the authorised official nor any employee of the Municipality shall be liable for or in respect of any injury suffered or disease contracted by or damage caused to any dog as result of or during its seizure, impounding, detention, sale, rehoming or destruction in terms of this By-law.

4.8 The rescue of stray dogs

A person who rescues a stray dog shall report the date and time of the rescue and a description of the dog to the Municipality and surrender it to the municipal pound within twenty four hours.

4.9 Fencing of property

No person shall keep a dog if his or her premises are not properly and adequately fenced to keep such dog inside when it is not on a leash unless the dog is confined to the premises in some other manner, provided that such confinement is not inhumane in the assessment of the authorised official.

4.10 Designation of public places as free-running, on-leash or off-limits. The Municipality may designate public areas, with appropriate signage, as one or more of free-running, on-leash or off-limits and the designation may vary according to time of day and season.

4.11 Removal of excrement

(a) If any dog defecates in any public street, public place or public road, any person in control of such dog, excluding a person assisted by a guide dog, shall forthwith remove the excrement, place it in a plastic or paper bag or wrapper and dispose of it in a receptacle provided for the deposit of litter or refuse.

(b) No person shall walk a dog, other than a guide dog, in a public street, public place or public road, without carrying a sufficient number of plastic or paper bags or wrappers, within which to place the excrement of the dog, in the event of the dog defecating.

4.12 Permit to use security dogs

The owners or users of security dogs apply for a permit whereby all provisions of section (4.7.2) to (4.7.8) apply.

4.13 Dog shall not be a source of danger

(a) Any person who keeps a dog on any premises shall keep such dog in such a manner as not to be a source of danger to the Municipality's employees entering upon such premises for the purpose of carrying out their duties.

(b) A notice to the effect that a dog is being kept on such premises shall be displayed in a conspicuous place at each access point to the premises.

4.14 Dogs on premises where food is sold

(a) The owner or person in control of any shop or other place where food is prepared, sold or exposed for sale, shall not permit any dog to enter or to be or remain in such shop or place.

(b) The provisions of this section shall not apply to the South African Police Service or a guide dog which is utilised to accompany a blind person.

4.15 Dog kennels, pet shops and pet parlours

- (a) No kennel, pet shop or pet parlour may be operated without the permission of the Municipality.
- (b) Application for permission must be done in the manner prescribed by the Municipality.
- (c) The person operating a kennel, pet shop or pet parlour may not conduct the business in such a manner so as to cause any risk, nuisance or annoyance to other people.

4.16 HAWKING OF ANIMALS

No person may hawk an animal:

- (a) in a street or public place; or
- (b) in or from a movable structure or vehicle.
- (c) at public markets

5. CATS

5.1 Sterilization of cats

5.1.1 All cats (male and female) over 6 months of age of must be sterilized;

5.1.2 An authorised official may cause a cat to be sterilized should he or she deem it necessary,

- (a) in the interests of the welfare of the cat
- (b) to prevent nuisance
- (c) when the cat is stray
- (d) on the request of the owner
- (e) in accordance with this by-law

and the costs thereof may be recovered from the owner.

5.1.3 The owner of a sterilized cat must obtain proof that the cat has been sterilized from a registered veterinarian and must produce such document for inspection to any authorised official on demand.

5.1.4 Subsection 5.1.1 does not apply to any cat where the owner obtains a permit from the Municipality to keep the cat unsterilized.

5.2 Permit to keep an unsterilized cat

Any person wishing to keep an unsterilized cat, with or without the intention to breed, must obtain a permit from the Municipality -

- (a) An application to keep an unsterilized cat must be in writing on a prescribed form and must be accompanied by the prescribed fee.
- (b) The Municipality may require a property inspection and the applicant to provide any information which it considers relevant to enable it to make an informed decision.
- (c) The Municipality may refuse to consider an application if the cat or premises are deemed unsuitable for breeding purposes by the inspecting officials.
- (d) A permit is not transferable from one cat to another cat or from the premises in respect of which it has been issued, to other premises.
- (e) Permit applications and fees are to be renewed annually.
- (f) Should an unsterilized cat be sterilized by a registered veterinarian during the permit period, proof of sterilization must be submitted to the Municipality together with the original permit.
- (g) Application must be accompanied by proof of Registration of the specific breed.

5.3 Restriction on number of cats

5.3.1 The Municipality determines the number of cats that may be kept on any premises.

5.3.2 No person may keep more than —

- (a) Two cats, or allow more than two cats, over the age of six months to be kept on any premises;
- (b) Four cats, or allow more than four cats, to be kept on an agricultural property or smallholding of 2.5 hectares or larger.
- (c) More than two cats, except for if the cats fall under 5.2(g).

5.3.3 Subsection 5.3.2 does not apply to any person who —

- (a) is the holder of a permit issued in terms of section 5.3.4 to keep a greater number of cats;
- (b) is the holder of a permit to operate a cattery;
- (c) is the owner or manager or is in charge of, a pet shop and who has written proof that all the cats under the control of such owner or manager have been vaccinated against cat flu and feline leukaemia diseases;
- (d) is the owner or manager of a veterinary clinic;
- (e) operates a pound; or
- (f) are under the control of the SPCA or other welfare society.

5.3.4 A person who has previously had a cat removed from his or her care or has a previous criminal conviction or civil judgment against him or her in respect of cruelty to an animal may not keep a cat unless the Municipality determines otherwise.

5.4 Permits to keep more cats than the prescribed number.

5.4.1 Any person who wants to keep a greater number of cats on premises than the number permitted in terms of section 3 must apply to the Municipality for a permit which will not be unreasonably withheld.

5.4.2 An application in terms of subsection 5.4.1 must be in writing on a prescribed form and must be accompanied by the prescribed fee.

5.4.3 The Municipality may require a property inspection and the applicant to provide any information which it considers relevant to enable it to make an informed decision.

5.4.4 The Municipality may refuse to consider an application in terms of subsection 5.4.1 in respect of which the provisions of subsection 5.4.2 have not been complied with or information contemplated in subsection 5.4.3, has not been furnished.

5.4.5 The Municipality may only consider an application in terms of subsection 5.4.1 after receipt of a written report from an authorised official-

- (a) as to whether the cat for which the permit is required is likely to cause a public health hazard;
- (b) setting out the results of an inspection of the premises on which the cat concerned is being kept or is to be kept; and
- (c) as to whether the applicant has previously had a cat removed from his or her care or has a previous criminal conviction or civil judgment against him or her in respect of cruelty to animals.

5.4.6 The Municipality may refuse an application in terms of subsection 5.4.1 or approve it subject to any conditions aimed at reducing the risk of any public health hazard created by the cats on the premises concerned occurring, continuing or recurring or to reduce such risk to a level acceptable to the Municipality.

5.4.7 In respect of any application approved in terms of subsection 5.4.6, an authorised official must issue a permit on a prescribed form specifying every condition imposed by the Municipality.

5.4.8 A permit is not transferable from one cat to another cat or from the premises in respect of which it has been issued, to other premises.

5.5 Taking cats into custody

5.5.1 An authorised official or an authorised person may, for the purpose of having a cat impounded, take into custody any cat which is being kept in contravention of sections 5.2 and 5.3.

5.5.2 The Municipality may take the necessary steps to ensure that the humane entrapment of stray or feral cats is effected.

6. WORKING EQUINES

6.1 Permits to keep working equines

6.1.1 (a) Any owner who wants to put to work a working equine, must apply to the Municipality for a permit, in respect of such working equine.

(b) No more than one permit may be issued in respect of a working equine.

6.1.2 An application in terms of subsection 6.1.1 must be in writing on a prescribed form and must be accompanied by -

(a) the prescribed fee;

(b) documentary evidence that the working equine is suitable to pull an animal drawn vehicle;

(c) Any person using a working equine in contravention of the above may be issued with a fine.

6.1.3 The Municipality may require the applicant to provide any further information which it considers relevant to enable it to make an informed decision.

6.1.4 The Municipality may refuse to consider an application in terms of subsection 6.1.1 in respect of which the provisions of subsection 6.1.2 have not been complied with or information contemplated in subsection 6.1.3, has not been furnished.

6.1.5 The Municipality may only consider an application in terms of subsection 6.1.1 after receipt of a written report from an authorised official –

(a) as to whether the working equine for which the permit is required is likely to cause a nuisance in a public place or its use may result in a contravention of section 6.1.3;

(b) setting out the results of an inspection of the working equine and its working circumstances; and

- (c) as to whether the applicant has previously had a working equine removed from his or her care or has a previous criminal conviction or civil judgment against him or her in respect of an animal in his or her care.

6.1.6 The Municipality may refuse an application in terms of subsection 6.1.1 or approve it subject to any conditions aimed at reducing the risk of nuisance in a public place occurring, continuing or recurring or to reduce such risk to a level acceptable to the Municipality.

6.1.7 A person who has applied for a permit in terms of subsection 6.1.1 may not work a working equine pending the outcome of such application, in the absence of a permit.

6.1.8 In respect of any application approved in terms of subsection 6.1.6, an authorised official must issue a permit on a prescribed form specifying every condition imposed by the Municipality.

6.1.9 A permit is not transferable from one owner to another.

6.2 Amendment, suspension and cancellation of permits

The Municipality may, after consideration of a report and recommendation of an authorised official or veterinary surgeon, by written notice to the holder of a permit contemplated in section 6.1 —

- (a) amend, suspend or cancel that permit if it is satisfied that failure to do so would result in -
 - (i) the creation or continuation of a nuisance in a public place; or
 - (ii) a continued contravention of any provision of section 6.3;
- (b) with immediate effect amend, suspend or cancel that permit if such official is of the view that it is urgently necessary to do so to eliminate or reduce a significant risk to the public posed by a nuisance in a public place.

6.3 Control of working equines

No person putting to work a working equine shall —

- (a) permit the working equine to be in any public place whilst being incapable of pulling an animal drawn vehicle or carry an unreasonable load;
- (b) permit the working equine to constitute a hazard to traffic using any public street;

- (c) permit the working equine to constitute or to his or her knowledge be likely to constitute a source of danger or injury to any person using a public street;
- (d) permit the working equine to be in any public street or public place except when under his or her control;
- (e) work any working equine which does not have on the name, telephone number and address of its owner.
- (f) permit any working equine to draw any vehicle, or use any harness which does not comply with the SABS standards and criteria (Schedules "C" and "D") which may be declared by Municipality from time to time.

6.4 Seizure, impounding and destruction of working equines

6.4.1 An authorised official may enter a premises to seize and impound at a place appointed by the Municipality any working equine which -

- (a) may be destroyed on the advice of a veterinary surgeon or in terms of the provisions of any law;
- (b) in his or her opinion is incapable to continue to pull an animal drawn vehicle;
- (c) in his or her opinion constitutes a hazard to traffic using any public street;
- (d) is at large and apparently without an owner; or
- (e) is found in any public place where such a working equine is, in the opinion of the authorised official, not under proper control.

6.4.2 The Municipality shall keep a record of all working equines seized and impounded in terms of this By-law indicating the species, marks and distinguishing peculiarities (if any) of such working equines, as well as the last date for their release or otherwise, and such records shall be open for inspection by the public at the Municipal Offices during office hours.

6.4.3 A working equine impounded in terms of subsection 6.4.1 shall be released to the owner of or person keeping such working equine upon payment of the fee as fixed by the Municipality.

6.4.4 A working equine impounded in terms of subsection 6.4.1 may be sold or rehomed after it has been detained for not less than seven days unless it has been claimed and released in terms of subsection 6.4.3.

6.4.5 If an authorised official is of the opinion that a working equine is a working equine contemplated by the provisions of section 6.3, he or she may —

- (a) cause a notice to be served on the owner of such working equine requiring such owner to take such steps as will effectively abate such nuisance and to establish to the satisfaction of the

authorised official that such working equine will be kept under proper control;

- (b) impound the working equine and deal with it in terms of this section, provided that working equine shall not be released to its owner unless such owner, within the period of seven days contemplated by section 6.4.4, provides the authorised official with satisfactory proof that such working equine, if released to him or her, will not cause any further nuisance and will be kept under control.

6.4.6 The proceeds of any sale shall be used to defray all costs connected with such sale and the impounding of such working equine.

6.4.7 Neither the Municipality nor the authorised official nor any employee of the Municipality shall be liable for or in respect of any injury suffered or disease contracted by or damage caused to any working equine as result of or during its seizure, impounding, detention, sale or destruction in terms of this By-law.

6.5 The rescue of impounded working equines prohibited

No person shall, by threats of violence or otherwise, rescue or attempt to rescue from the person or persons in charge thereof any working equine being lawfully brought to the pound, or shall rescue or attempt to rescue any working equine after such working equine has been lawfully impounded by an authorised official.

7. ANIMALS AND POULTRY

7.1 In order to promote public health no person shall keep or permit to be kept on any residential premises or property any animal or poultry as defined in the definition without the permission of the Municipality.

7.2 Permits

7.2.1 For the purposes of promoting public health and restricting public nuisances, the Municipality may from time to time determine the number of animals or poultry that may be kept per unit area and the areas within which such animals or poultry shall be prohibited.

7.2.2 The Municipality may from time to time, determine the kinds of animals and poultry for which a permit is required and the relevant application fee and annual fee for such permit. Applications for such permits must be made on the prescribed form made available by the Municipality for such purposes.

7.2.3 Permits issued in terms hereof are not transferable and shall only be valid for the specific property in respect of which the application was made.

- 7.2.4 The Municipality will be assisted by the SPCA in the administration of processing applications for permits.
- 7.2.5 Every person who keeps an animal in a kennel, pen or run area or similar confining place, whether within or outside a building, shall ensure that the kennel, pen or run area is cleaned regularly and that excreta does not accumulate.
- 7.2.6 No animals, including dogs and cats, may be housed in a crate or enclosure that restricts natural freedom of movement or does not allow sufficient space for exercise according to the needs of that animal.
- 7.2.7 Every person who keeps an animal must
- (a) provide clean potable drinking water at all times and a sufficient quantity of suitable food to allow for normal growth and the maintenance of normal body weight, with clean receptacles for food and water
 - (b) provide necessary veterinary care when the animal exhibits signs of injury, pain or suffering that require medical attention.
- 7.2.8 All animals should be kept in compliance of this by-law and any other prescribed law where permission has been granted to keep an animal, a permit will have to be presented, if and when required.
- 7.3 Applications
- 7.3.1 The Municipality may require an application in terms of section 7.2.1 to be accompanied by a detailed site plan indicating all existing or proposed structures and fences on the property for which the permit is required.
- 7.3.2 The Municipality may require detailed plans and specifications of structures wherein it is proposed to keep animals and poultry, in order to evaluate whether or not to grant a permit applied for in terms of section 7.2.2.
- 7.3.3 Notwithstanding anything to the contrary contained in this by-law, the Municipality may refuse to approve an application or grant approval subject to specific conditions if, in its opinion, the property owing to its location, sitting or geographical features or size, is unsuitable for the keeping of animals or poultry.
- 7.3.4 No structure that accommodates animals shall be sited –
- (a) within one and a half metres of any boundary of the erf which abuts another residential erf;
 - (b) within six metres of any boundary of the erf which abuts any road or public open space; and
 - (c) within four and a half metres from any dwelling, servants quarters, inhabited outbuilding and shop or building where food is processed.

- 7.3.5 Where a structure in which animals will be kept forms part of an outbuilding used for human habitation, such structure must be sited at least four and a half metres from such habitable room and must not be under the same roof space as the habitable room.
- 7.3.6 No structure in which poultry is kept shall be sited:
- (a) within one and a half metres from any boundary of a residential erf; and
 - (b) within one and a half metres from any dwelling, servants quarters, inhabited outbuilding and shop or building where food is processed, sold or stored.
- 7.3.7 All structures in which animals or poultry are kept shall be suitably screen from any street to the satisfaction of the Municipality.
- 7.3.8 No structure in which poultry is kept shall have a height in excess of three and a half metres.
- 7.3.9 Notwithstanding the aforementioned provisions, the Municipality may, after considering conditions particular to the property and on condition that no objection is received from adjoining and affected neighbours, waive any or all of the requirements of this chapter and impose other conditions if appropriate.
- 7.4 Storage of feed and manure, disposal of carcasses
- 7.4.1 All manure resulting from keeping of animals and poultry shall, pending removal from the premises, be stored under shelter in sealed fly-proof containers and disposed of on a regular basis so as to prevent any nuisance from being created, provided that such disposal may not include composting on the premises, except on agricultural property.
- 7.4.2 All feed for the keeping of animals and poultry shall be stored in a rodent-proof place, container or storeroom.
- 7.4.3 The premises for the keeping of animals or poultry shall be kept in such condition as to not attract or provide harbourage for rodents.
- 7.4.4 Carcasses are to be disposed of at the owner's expense and in a manner approved by the Municipality.
- 7.5 The Municipality shall from time to time determine that a fly and rodent-proof manure store and feed store of adequate size and constructed of permanent material, is required on premises where animals are kept.
- 7.6 Kennels and catteries

No person shall keep a kennel or cattery unless the following requirements are complied with and a permit has been obtained from the Municipality:

- (a) Dogs and cats are kept in separate secure enclosures of an adequate size in the opinion of the authorised official and that meet the Municipality's health and building requirements. Such enclosures must-
 - (i) be constructed of durable materials;
 - (ii) provide or contain a waterproof roofed shelter;
 - (iii) have internal walls and floors finished to provide smooth, hygienic cleanable surface without cracks or open joints;
 - (iv) provide adequate access for cleaning, disinfecting and devermination purposes;
 - (v) have sufficient potable water points for drinking and cleaning purposes
 - (vi) have floor drainage connected to the Municipality sewer system in an approved manner.
- (b) separate isolation facilities for sick dogs and cats shall be provided to the satisfaction of the Municipality;
- (c) if cages are provided for the safekeeping of cats, such cages shall be of durable, impervious material and constructed so as to be easily cleaned.

7.7 Structures to be in a proper state of repair and no alterations

7.7.1 All structures shall at all times be kept in a proper state of repair by the owner or occupier of the premises.

7.7.2 No person shall alter or use a structure for the keeping of animals or poultry for purposes other than those specified in the permit.

7.8 Notices, amendment and cancellation of permits

7.8.1 If, in the opinion of the Municipality, any animals kept on any property in terms of which a permit has been issued by the Municipality under this By-law cause a health nuisance, danger to health or endanger the safety of the public or where more animals are kept than authorised in the permit issued, the Municipality may serve written notice on the holder of the permit, or in his absence the person in charge, to remove or cause to be removed such nuisance or danger or excess number of animals within a specified period.

7.8.2 The holder of a permit or the person in charge, on receiving a notice in terms of subsection 7.8.1 shall comply with the requirements as specified by the Municipality in such notice, failing which the Municipality may, at its discretion-

- (a) cancel the permit to keep animals on such property, or
- (b) amend the permit.

7.8.3 The holder of a permit shall, when requested by the Municipality to do so, return the permit issued to him for amendment or cancellation, as the case may be.

7.9 Animals offered for sale

A person or manager of premises where dogs and cats or horses are offered for sale shall keep proper records of vaccinations and shall not leave such animals unattended overnight.

7.10 Fireworks

No person may terrify or cause stress or fear to any animal with fireworks or by any other means.

7.11 Animal Cruelty

Any person who:

- (a) maims an animal in any way including tail docking and ear cropping, except for rare breeds where case law had allowed tail docking (proof needs to be submitted);
- (b) possesses, keeps, imports, buys, sells, trains, breeds or has under his or her control an animal for the purposes of fighting any other animal;
- (c) baits, provokes or incites any animal to attack another animal or to proceed with the fighting of another animal;
- (d) promotes animal fights for financial gain or as a form of amusement ;
- (e) allows any of the acts referred to in paragraphs (a) to (d) to take place on any premises or place in his or her possession or under his or her charge or control;
- (f) owns, uses or controls any premises or place for the purpose or partly for the purpose of presenting animal fights on such premises or place or who acts or assists in the management of such premises or place, or who receives any consideration for the admission of any person or animal to such premises or place; or
- (g) is present as a spectator at any premises or place where any of the acts referred to in paragraphs (c) and (d) is taking place or where preparations are being made for such acts, is guilty of an offence and liable on conviction to a fine of R20 000.00 (twenty thousand rand) or to imprisonment for a period not exceeding two years;
- (h) in any prosecution it is presumed, unless the contrary is proved, that an animal that is found at any premises or place is the property or under the control of the owner of those premises or that place, or is the property or under the control of the person who uses or is in control of the premises or place;

Is guilty and in contravention of the Animal Protection Act No.71 of 1962, and will be prosecuted in terms of this Act. The SAPS will act in terms of the Criminal Procedure Act 5 of 1977 and the Animals Protection Act 71 of 1962 and the SAPS Standing Order 33, when a contravener of this By-law is taken into custody. The SAPS will also deal specifically with dog fighting and bestiality cases.

Cases of the treatment of sick animals and sterilisation can also be referred to the Peoples Dispensing for Sick Animals (PDSA).

7.12 The keeping of pigs is not permitted in a residential area.

8. DUTIES OF A POUND MASTER

A pound master-

- (a) (i) must keep the pound open between 09h00 and 16h00 from Monday to Friday and Saturday between 09h00 and 11h00 unless any such day is a public holiday;
- (ii) may, notwithstanding the provisions of subparagraph (i), keep the pound open during such earlier or later hours as he or she considers necessary, subject to displaying an easily legible notice to that effect at the entrance to the pound;
- (b) must accept, take charge of and impound any animal brought to the pound with a view to impounding it, during the hours when the pound is open and must, subject to the further provisions of this By-law, detain that animal in the pound; provided that the pound master may refuse to receive, or may release any animal if he or she reasonably believes that such animal was not lawfully taken into custody or impounded;
- (c) must keep a register in which the following particulars of any animal are recorded:
 - (i) the name of the authorised official or the name, residential address and telephone numbers of any other person who brought the animal to be impounded;
 - (ii) the time at which and date on which the animal was impounded;
 - (iii) the place where the animal was found immediately before it was taken into custody;
 - (iv) the date on which and the time at which the animal was taken into custody before being brought to the pound;
 - (v) the reason for impounding the animal;
 - (vi) a description of the animal indicating the estimated age, breed, sex, colour, markings and any injury found on the animal when the pound master accepted it;

- (vii) whether the animal was released, sold or destroyed and the date and time of such release, sale or destruction;
 - (viii) the amount of money realised in respect of such release or sale;
 - (ix) the amount of veterinary expenses, if any, incurred in respect of the animal;
- (d) must ensure that the pound and all equipment used in connection with impounding animals are at all times kept in a clean condition and free from flies and other vermin, to the satisfaction of the Municipality's Director: Community Services;
 - (e) must ensure that every animal in the pound is properly fed and cared for;
 - (f) must isolate any female animal on heat;
 - (g) must take all reasonable steps to prevent fighting amongst animals in the pound;
 - (h) must isolate any diseased animal from the healthy animals, have such an animal attended to by a veterinarian and take all steps to recover the expenses incurred in this regard from the owner if the identity and address of the owner are known;
 - (i) must take all necessary steps to have the animal destroyed as contemplated in this By-Law and recover any expenses in this regard from the owner if the identity and address of the owner are known;
 - (j) must take all reasonable steps to ensure that animals are rehomed and not destroyed;
 - (k) must levy the prescribed fee for impoundment and daily holding fees in respect of any animal;
 - (l) may cause any animal to be sterilized and provide it with identification as set out in section 4.6 (c) and recover the costs thereof from the claimant unless the claimant may provide considerable motivation as to why the animal should not be sterilized and provide permits as set out in sections 4 and 5;
 - (m) must cause any animal to be sterilized and provide it with identification as set out in section 4.6(c) prior to releasing the animal from the pound to any person other than the original owner thereof; and
 - (n) must scan any animal taken into custody by an authorised official for the purposes of detecting a microchip.

9. EXEMPTIONS AND CONDITIONS

- 9.1 The Municipality may refuse or grant any application for approval and impose conditions, requirement or restrictions it may require or deems appropriate.
- 9.2 The Municipality may with well-founded reasons exempt any person and/or class of persons from any or all of these requirements, conditions or restrictions it deems appropriate.

10. LIABILITY

The Municipality, authorised official or employee shall not be liable for any injury suffered or disease contracted by or damage caused to any dog or cat as a result of or during its seizure, impounding, detention or destruction in terms of this By-Law, or other legal provisions.

11. GENERAL PROVISIONS

11.1 Right of entry and inspection:

- (a) Any authorised person is authorised to inspect any premises within the municipal area in order to determine whether there is compliance with the provisions of this By-law.
- (b) When entering premises in terms of sub-section 11.1, the authorised person must on request by any person, identify himself by producing written proof of authorisation.
- (c) The authorised person may be accompanied by a person reasonably required to assist in conducting the inspection.

11.2 Any person who fails to give or refuse access to any authorised person if he request entrance on any land or premises, or obstructs or hinders him in the execution of his duties under this By-law, or who fails or refuses to give information that he may lawfully be required to give to such employee, or who gives false or misleading information knowing it to be false or misleading, shall be guilty of an offence.

12. SERVICE OF DOCUMENTS AND PROCESS

12.1 Whenever a notice, order, demand, or other document is authorised or required to be served on a person in terms of this By-law, it shall be deemed to have been effectively and sufficiently served on such person-

- (a) when it has been delivered to him personally;
- (b) when it has been left at his place of residence or business in the Republic with a person apparently over the age of sixteen years;
- (c) when it has been posted by registered or certified mail to his last known residential or businesses address in the Republic and an acknowledgement of the posting thereof is produced;
- (d) if his address in the Republic is unknown, when it has been served on his agent or representative in the Republic in the manner provided by sub-section 12.1 (a), (b) or (c); or
- (e) if his address and agent in the Republic are unknown, when it has been posted in a conspicuous place on the immovable property (if any) to which it relates.

- 12.2 When any notice, order, demand or other document as aforesaid is authorised or required to be served on a person by reason of his being or having been the owner or occupier of or holding some other right in respect of immovable property, it shall not be necessary to name him but it shall be sufficient if he is therein described as the owner, occupier or holder of such immovable property or other right, as the case may be.

13. TRANSITIONAL PROVISIONS

- 13.1 A person who, at the commencement of this by-law, owns a larger number of animals than the number contemplated in section 3, or operate a business as contemplated in section 8, may continue to keep such larger number of animals or keep operating the business; but may not replace any animal in excess of that number should one or more of the animals die or be disposed of, or extent, change, move, letting, subletting or sell the business, unless permission is obtained from the Municipality for exceeding that number, or inform the Municipality of such extension change, move, letting, sub-letting or selling.
- 13.2 In the case of such extension, change, moving, letting, sub-letting or selling of the business, the Municipality may impose such conditions and restrictions it deem fit to impose.
- 13.3 Owners of unsterilized dogs and cats are granted a 6 month period (from 1 April 2015) in which to register their dogs and cats.
- 13.4 Cat owners are granted a 6 month period in which to ensure that their cats have micro-chips or collars with the details of the owners.
- 13.5 The provisions relating to the sterilization of dogs and cats takes effect 6 months after 1 April 2015 i.e. on 1 October 2015.

14. PENALTY CLAUSE

- 14.1 Any person who continues to commit an offence after notice has been served on him or fails to cease committing such offence after he has been convicted of such offence, is guilty of a continuing offence.
- 14.2 Any person who contravenes any provisions or fails to comply with any provisions of this By-law, a notice issued or a condition imposed under this By-law, furnishes a false statement, or false, incorrect or misleading information, shall be guilty of an offence and on conviction to-
- (a) a fine or imprisonment or to both such fine and such imprisonment;
 - (b) in the case of a continuing offence, to an additional fine or an additional period of imprisonment or to such additional imprisonment without the

option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued; and

- (c) a further amount equal to any costs and expenses found by the court to have been incurred by the Municipality as result of such contravention or failure plus the cost of sterilising the animal.

14.3 In addition, any court convicting any person of not keeping any animal, which is kept under control in accordance with the provisions of this by-law, may order that animal be put down.

15. MISCELLANEOUS

Offences and penalties

15.1 Any person who –

- (a) Contravenes or fails to comply with any provisions of this By-Law or with any order or notice lawfully issued hereunder commits an offence; and
- (b) Continues to commit an offence after notice has been served on him or her to cease committing such offence or after he or her has been convicted of such offence shall be guilty of a continuing offence.

15.2 Any person convicted of an offence under this By-law shall be liable to a fine or imprisonment for a period not exceeding two years.

15.3 In the case of a continuing offence, an additional fine or imprisonment for a period not exceeding 10 days for each day on which such offence continued may be imposed or both a fine and imprisonment.

15.4 Any court convicting a person of keeping an animal which is not kept under control in accordance with the provisions of this By-law may, in addition to the penalty referred to in subsection 15.2, order the destruction of the animal concerned, and thereupon an authorised official may destroy such animal.

16. SHORT TITLE AND COMMENCEMENT

This By-law shall be known as the By-law relating to the Regulating of the Keeping of Dogs and Cats and other Animals of the George Municipality and shall come into operation on the date of publication thereof in the Provincial Gazette.

GEORGE MUNISIPALITEIT

VERORDENING VIR DIE REGULERING VAN DIE AANHOU VAN HONDE, KATTE EN ANDER DIERE

Om voorsiening te maak om die getal honde en katte wat aangehou mag word, te beheer, die teling van honde en katte, die beheer van honde en katte en ander diere deur eienaars, skut van rondloper honde en katte en ander diere, die voorkoming van oorlaste en ook om voorsiening te maak vir toevallige aangeleenthede.

Onder die voorwaardes van artikel 156(2) van die Grondwet van die Republiek van Suid-Afrika, 1996, skryf die George Munisipaliteit die volgende voor:-

In hierdie Verordening, woorde wat in die manlike geslag gebruik word, sluit vroulik in, die enkelvoud sluit meervoud and vice versa in, die Engelse Verordening sal, indien daar onreëlmatighede is tussen die twee Verordeninge, voorkeur geniet, behalwe as die inhoud anders aandui.

1. UITLEG

1.1 Definisies

“**aangrensende en geaffekteerde buurman**” beteken ‘n buurman wie se eiendom direk langs die gemeenskaplike grens van die aansoeker se eiendom is, of wat oorkant of skuinsoorkant die aansoeker se eiendom is;

“**aansoeker**” beteken ‘n eienaar of persoon wat in besit of in beheer is van ‘n hond, kat of werkdier;

“**aanhou**” inaggenome ‘n hond, wat beteken ‘n hond in besit, onder beheer of in besit of om ‘n hond te huisves;

“**aangewysde publieke area**” beteken ‘n area wat deur die Munisipaliteit geïdentifiseer was waar eienaars / hondehanteerders en hul honde, in aggenome die beperkinge op gevaarlike honde, met hul honde kan stap;

“**dier**” beteken ‘n perd, ponie, meuel, bees, vark, skaap, bok, kameel, reptiel (insluitende slange en tarantula’s), troetelvarke, hond, kat of enige ander huishoudelike dier, of enige wilde of eksotiese dier, maar vir die doel van Hoofstuk sewe, honde, katte en werksdiere uitgesluit, omdat hul gereguleer word in ander hoofstukke;

“**dier-aangedrewe voertuig**” beteken ‘n standaard ontwerpte kar met ‘n draaiblok en skag wat aan ‘n werkdier geheg is, deur middel van ‘n harnas;

“**dupleks gebou**” beteken ‘n gebou van twee verdiepings bo grondvlak, met ‘n aantal residensiële eenhede, elkeen wat oor twee vlakke is en sy eie ingang van die straat af het;

“**dupleks woonstel**” beteken ‘n woonstelblok waar die verdeling vertikaal is tussen die wooneenheid, wat ‘n maksimum hoogte van twee verdiepings het;

“**dorpshuis**” beteken ‘n woonhuis eenheid, wat deel van ‘n dorpsbehuising skema vorm;

“**dorpsbehuising**” beteken ‘n ry of ‘n groep of aanmekaar, aangehegte woonhuis eenhede wat beplan, ontwerp en gebou is om ‘n harmonieuse argitektoniese eenheid te vorm, waarvan elke wooneenheid ‘n grond vloer het. Sodanige wooneenheid mag kadastraal onderverdeel word;

“**eienaar**” met betrekking tot ‘n hond en/of kat, beteken enige persoon wat in besit is of beheer uitoefen oor ‘n hond en/of ‘n kat, dit sluit ‘n persoon in aan wie ‘n hond en/of kat toevertrou is, of wie beheer oor ‘n hond en/of kat, op enige perseel binne die area van jurisdiksie van die Munisipaliteit, uitoefen, waar so ‘n hond en/of kat aangehou word en waar dit geregtig is om te bly;

“**gemagtigde beampte**” beteken ‘n beampte in terme van artikel 8 van die Diere Beskermings Wet, 1962 (Wet no. 71 van 1962) en enige beampte van die Raad, wat gemagtig is deur die Raad om die bepalings van die Verordening af te dwing;

“**gebou**” of dit tydelik of permanent van aard is en ongeag die materiaal wat gebruik is;

“**gemagtigde persoon**” beteken ‘n werknemer van die Munisipaliteit of enige ander persoon wat aangestel of gemagtig is om enige daad, funksie of verwante plig, verwant aan die bepalings van hierdie Verordening uit te voer, of om magte in terme van hierdie Verordening uit te voer; en ‘n “beampte” het ‘n soortgelyke betekenis.

“**gidshond**” beteken ‘n hond wat deur ‘n erkende fasiliteit opgelei is, om ‘n blinde of ‘n swak-siende persoon te help en dit sluit ‘n hond in wat opgelei is om ‘n persoon, wat geestelik en fisies ongeskik is, te help;

“**gesondheidsoorlas**” beteken enige aktiwiteit, toestand, perseel of iets wat deur uitloop, reuke, chemiese uitloop, geraas, vibrering, radiasie, afval, vullis, chemiese of biochemiese materiaal, mikrobiële infeksie, gif, plantegroei, oorbegroeiing, gebrek aan deeglike algemene higiëne, ventilasie, beligting, ontwerp, situasie of enige ander oorsaak of praktyk, wat volgens die opinie van die Direkteur: Gemeenskapsdienste of ‘n gemagtigde Munisipale werknemer gevaarlik of ‘n potensiële gevaar kan inhou of wat aanvallend is, insluitend, sonder om die veralgemening van bogenoemde te beïnvloed, enige fasiliteit vir die storting, verspreiding of hantering van water wat waarskynlik vir menslike gebruik is vir huishoudelike doel of verbruik, insluitend water, wat gekontamineer of besoedel is;

“gevaarlike hond” beteken:-

- (a) ‘n hond wat sonder aanhitsing byt of wat ‘n mens of ‘n huishoudelike dier beseer, maar sluit nie ‘n hond in, wat ‘n oortreder gebyt het nie;
- (b) ‘n Staffordshire Bull Terrier, Bull Terrier, Pit Bull en enige hond, wat algemeen erken word as sulke rasse en dit sluit ‘n hond in van ‘n gemengde ras, wat oorheersende karaktereienskappe van hierdie rasse toon;
- (c) enige ander hond wat ‘n bedreiging en/of steurnis/oorlas vir die publiek veroorsaak.

“geneusmasker” waar ‘n hond omskryf word, beteken die vasmaak of beheer om die mond, met ‘n toepaslike standaard neusmasker, om te voorkom dat die hond byt, maar terwyl die hond steeds kan hyg of drink;

“hond” beteken ‘n reunhond en ‘n teef van enige ouderdom, behalwe as anders gespesifiseer;

“hondehanteerder” beteken ‘n bevoegde volwassene wie in ‘n posisie is of bevoeg is om ‘n gevaarlike hond, wat geneusmasker is, te hanteer;

“hondeherberg” beteken ‘n perseel waarop of waarin:-

- (a) herbergfasiliteite vir honde voorsien word;
- (b) honde geteel word vir kommersiële doel;
- (c) honde aangehou word met die doel om opgelei te word of wat uitgehuur word met of sonder hanteerders; of
- (d) honde wat vir kommersiële sekuriteitsdoel aangehou word;

“karkas” beteken die oorskot van enige dier of pluimvee;

“kat” beteken beide ‘n manlike en ‘n vroulike kat van enige ouderdom, behalwe as dit anders gespesifiseer is;

“katkennels” beteken ‘n perseel waarop herberg fasiliteite vir katte voorkom en/of waar katte geteel word vir ‘n kommersiële doel;

“landbou eiendom” beteken grond wat as landbou gesoneer is in terme van enige van die Munisipaliteit se stadsbeplanning of skemas of enige ander verwante reg;

“Munisipaliteit” beteken die Munisipaliteit van George soos vasgestel in terme van artikel 12 van die Munisipale Strukture Wet, 117 van 1998, en sluit ‘n gemagtigde agent, diensverskaffer of enige werknemer daarvan in, wat optree in terme van die bepalinge van hierdie Verordening deur magte wat by die Munisipaliteit gevestig is en gedelegeer en sub-gedelegeer is aan so ‘n agent, diensverskaffer of werknemer;

“openbare plek” beteken ‘n pad, straat, deurweg, brug, sypaadjie, deurloop, plein, oop plek, tuin, park, strand, skool of ‘n oop stuk grond in die area van die jurisdiksie

van die Munisipaliteit, of wat so gesoneer is of wat so verklaar is waartoe die publiek vrye toegang het;

“**openbare pad**” beteken enige pad, straat of deurweg of enige ander plek wat algemeen deur die publiek of enige gedeelte daarvan gebruik word, of waartoe die publiek of enige gedeelte daarvan die reg tot toegang het en dit sluit in: –

- (a) die rand van enige sodanige pad, straat of deurweg;
- (b) enige voetpad, sypaadjie of soortgelyke voetganger deel van ‘n padreserwe;
- (c) enige brug, pont of drif aan enige sodanige pad, straat of deurweg;
- (d) enige ander voorwerp wat aan sodanige pad, straat of deurweg voetpad of sypaadjie behoort; en
- (e) enige perseel met of sonder strukture daarop, wat gebruik word of wat as ‘n openbare parkeerarea of ‘n openbare parkeerplek, vir die parkering van motors gebruik word, ongeag of die toegang na sodanige parkeer area of plek gratis is.

“**permit**” beteken die geskrewe toestemming gegee deur die Munisipaliteit, in terme van hierdie Verordening, nadat ‘n fooi, soos voorgeskryf deur die Munisipale Tarief Struktuur betaal is;

“**persoon**” sluit enige sfeer van regering, natuurlike of ‘n juristiese persoon in;

“**pluimvee**” beteken enige hoender, ingesluit ‘n gans, volstruis, eend, duif, kalkoen, tarentaal, pappegaai, pouhaan/pouhen of enige ander voël wat mak of wild is;

“**perseel**” beteken enige stuk grond wat by die aktekantoor geregistreer is as ‘n erf, lot, plot of erf as deel van ‘n dorpsgebied, maar wat nog nie geregistreer is nie, of ‘n gedeelte van so ‘n erf of lot en sluit bewoonde dele buite dorpsgebiede, wat deur regeringsdepartemente, semi-regering instansies of industrië voorsien is, in;

“**skut**” beteken ‘n plek wat deur die Munisipaliteit uitgesit is in terme van enige wet wat handel oor die skut, verkoop en uitsit van diere en sluit die perseel van die organisasie en enige ander dierewelsyn organisasie wat deur die Munisipaliteit erken word, in;

“**skutmeester**” beteken ‘n persoon wie deur die Raad aangestel is, om in beheer te wees;

“**sekuriteitshond**” beteken ‘n hond wat te enige tyd op ‘n nie-residensiële eiendom aangehou word, vir die doel om ongemagtigde toegang tot die eiendom te verhoed;

“**struktuur**” beteken enige stal, skuur, varkstal, kraal, voëlhuis, weikamp, toegemaakte struktuur, hoenderhok, kamp, loophok, duiwehok of gebou, wat gebruik word vir die aanhou en berging van diere en pluimvee;

“**troeteldier-salon**” beteken ‘n vestiging waar troeteldiere versorg word;

“**troeteldier-winkel**” beteken ‘n vestiging waar troeteldiere vir handel doeleindes aangehou word;

“woonstelle” beteken ‘n gebou (asook buite geboue) wat uit drie of meer wooneenhede vir menslike bewoning, bestaan;

“werkende perdagtige dier” beteken ‘n perd, donkie, meuel of esel wat gebruik word om ‘n dier-aangedrewe voertuig (of ‘n onredelike vrag dra) vir finansiële voordeel;

1.2 Administrasie en afdwinging

- (a) Die Direkteur: Gemeenskapsdienste is verantwoordelik vir die administrasie en afdwinging van hierdie Verordening.
- (b) Die Direkteur kan enige mag wat aan hom gegee is, in terme van hierdie Verordening, na ‘n bevoegde beampte van sy direktoraat, asook in samewerking met personeel van die SPCA, wie die aangestelde agent van die Munisipaliteit is of enige ander toekomstige diensverskaffer, skriftelik deleger.

2. TOEPASSING

- 2.1 Vir die doel van bestuur, voorkoming en om die oorlas of negatiewe impak met die aanhou van honde en/of katte, te verminder, kan ‘n Munisipaliteit die getal en geslag van honde en/of katte, wat aangehou mag word en in die areas waar honde en/of katte aangehou word, reguleer of verbied.
- 2.2 Die Munisipaliteit kan deur ‘n spesiale besluit belasting vasstel en hef op die aanhou van honde en kategorië van honde, waarop geen belasting in ‘n munisipale area betaalbaar sal wees nie.
- 2.3 Die Munisipaliteit sal ‘n lisensie uitreik sodra die belasting aan die Munisipaliteit betaal word. Die tarief sal volgens die Munisipale Tarief beleid vasgestel word.
- 2.4 Die publiek kan enige klagtes wat teenstrydig met hierdie Verordening is, aan die gemagtigde persoon en/of gemagtigde beampte, soos gedefinieer in hierdie Verordening, rapporteer.

3. GETAL HONDE EN KATTE

- 3.1 Die maksimum getal honde en katte wat toegelaat word om aan te hou, is afhanklik van die grootte van die perseel/eiendom, as volg:

TIPE EIENDOM	GROOTTE VAN EIENDOM	MAKSIMUM GETAL HONDE / KATTE
Wooneenheid	Bv woonstel/dupleks woonstel	2 honde / 2 katte *
Woonhuis	Erf kleiner as 600m ²	2 honde / 2 katte *
Groot woonhuis	Erf groter as 600m ²	2 honde / 2 katte *
Landbou Eiendom of kleinhoewe	Grond wat nie kleiner as 2.5 hektar is nie of wat vir Landbou gebruik gesoneer is.	4 honde / 4 katte *

* bo die ouderdom van vier (4) maande

3.1.1 'n Persoon wat in 'n woonstel bly soos gedefinieer in terme van artikel 1.1:

- (a) sal nie toegelaat word om medium/groot honde en/of gevaarlike honde aan te hou nie;

3.1.2 Die eienaars en Beheerliggame of Huis Eienaars Verenigings moet voldoen aan hierdie Verordening, wanneer hulle hul grondwette opstel.

3.2 Die bepalings in artikel 3.1 sal nie vantoepassing wees op:-

- (a) persele wat as 'n veearts kliniek of 'n dierehospitaal gebruik word;
- (b) 'n organisasie, wie se doel dit is om honde, wat gidshonde moet word, op te lei vir blinde persone, of honde wat deur blinde persone gebruik word as gidse;
- (c) 'n sekuriteits organisasie waar honde aangehou word vir sekuriteits dienste of vir opleiding doeleindes;
- (d) 'n persoon wie, tydens die afkondiging van hierdie Verordening, alreeds meer as die totale getal honde het en so 'n persoon mag nie 'n hond vervang om die toegelate getal te oorskry nie, sonder die vooraf skriftelike toestemming van die Munisipaliteit, in terme van artikel 3(1), as so 'n hond doodgaan of van kant gemaak word;
- (e) enige persoon, wie buite die Munisipale area bly, wat 'n hond inbring vir 'n tydelike besoek, wat nie 30 (dertig) dae vanaf die tyd van aankoms oorskry nie;
- (f) die Diere Beskermings Vereniging en ander geregistreerde diere welsynorganisasies;
- (g) entiteite wat by die Munisipaliteit geregistreer is en ander verwante entiteite, byvoorbeeld hondekennels, troeteldier-winkels of troeteldier-salonne, waar honde tydelike verblyf kry.
- (h) Werkende honde, soos gehoorhonde, terapiehonde, gidshonde, helpende honde en sporthonde, maar dat bewys van registrasie by die relevante Assosiasie (byvoorbeeld geregistreer by KUSA (Kennel Unie van Suid-Afrika), Werkende Honde Federasie en SADDA (Suid-Afrikaanse Hond Gehoorsaamheid Assosiasie) in plek moet wees.

4. SPESIFIEKE VEREISTES VAN TOEPASSING OP HONDE

Wanneer 'n aansoek in terme van artikel 4.1.3 hieronder oorweeg word, sal die Munisipaliteit:-

- (a) bewyse versoek dat die aansoeker gerehabiliteer is, byvoorbeeld dat die persoon bevoeg verklaar is om 'n hond aan te hou; en
- (b) 'n verslag van die Diere Beskermings Vereniging, wat verklaar dat die persoon bevoeg is om 'n hond aan te hou, bekom.

4.1 Beperking op die getal honde

4.1.1 Die Munisipaliteit kan die getal honde wat op 'n perseel toegelaat mag word, bepaal.

- (a) twee honde, of met die toestemming vir meer as twee honde, bo die ouderdom van vier maande, wat op die perseel soos identifiseer onder artikel 3, aan te hou;
- (b) vier honde of met die toestemming vir meer as vier honde, bo die ouderdom van vier maande wat op die perseel soos identifiseer onder artikel 3, aan te hou.
- (c) meer as twee honde, as die honde onder 3.2(h) val.

4.1.2 Sub-artikel (4.1.1) is nie van toepassing op enige persoon wie:-

- (a) die houer is van 'n permit, wat toegeken is in terme van artikel 4.4, om meer honde aan te hou;
- (b) die houer is van 'n permit om 'n kennels aan te hou;
- (c) die eienaar of bestuurder of wie in beheer is van 'n troeteldier winkel en wie skriftelike bewyse het, dat alle honde onder die beheer van so 'n eienaar of bestuurder, inge-ent is teen hondsdolheid, geelsig, kennel-hoes en parvovirus.
- (d) is die eienaar of is in beheer van die perseel waar gidshonde aangehou word of opgelei word; en sulke gidshonde word aangehou of opgelei onder die beskerming van die Suid-Afrikaanse Honde Vereniging;
- (e) is die eienaar of bestuurder van 'n veearts kliniek of 'n soortgelyke dierehospitaal, op voorwaarde dat hul bewyse kan verskaf; of
- (f) in beheer is van honde wat in besit is van die Diere Beskermings Vereniging, departement van die Munisipaliteit, soos gespesifiseer in die definisie van 'n "Munisipaliteit", die Suid-Afrikaanse Polisie Diens of 'n Suid-Afrikaanse Weermag, en wat aangehou word vir operasionele redes;
- (g) bestuur 'n skut.

4.1.3 'n Persoon, wie se permit om 'n hond aan te hou gekanselleer is, of van wie voorheen 'n hond verwyder is van sy of haar sorg of wat 'n vorige kriminele of 'n siviele vonnis vir skuldigbevinding of 'n siviele vonnis teen hom of haar het, met betrekking tot die wreedheid teenoor 'n dier, mag nie 'n hond aanhou nie, behalwe as die Munisipaliteit anders bepaal.

4.2 Sterilisasie van honde

4.2.1 Alle honde (reunhond & teef) ouer as 6 maande, moet gesteriliseer word;

4.2.2 'n Gemagtigde beampte mag 'n hond laat steriliseer as hy of sy dit nodig ag,

- (a) as dit in die belang is van die welsyn van die hond;
- (b) om 'n oorlas te voorkom;
- (c) as die hond rondloop;
- (d) op versoek van die eienaar;
- (e) soos bepaal deur hierdie Verordening;

en die koste daarvan mag van die eienaar verhaal word.

- 4.2.3 Die eienaar van 'n gesteriliseerde hond moet bewyse van 'n geregistreerde veearts kry, dat die hond gesteriliseer was en moet sodanige dokument vir inspeksie aan die gemagtigde amptenaar op versoek kan voorsien.
- 4.2.4 Sub-artikel (4.2) is nie van toepassing op 'n hond, waar die eienaar 'n permit van die Munisipaliteit ontvang het om 'n hond ongesteryliseerd te laat nie.
- 4.3 Permit om 'n ongesteryliseerde hond aan te hou.
- 4.3.1 Enige persoon of teeler wat 'n ongesteryliseerde hond wil aanhou, sonder die doel om te teel, moet 'n permit by die Munisipaliteit kry.
- (a) 'n Aansoek om 'n ongesteryliseerde hond aan te hou, moet op skrif wees op 'n voorgestelde vorm en moet met 'n voorgestelde fooi vergesel wees. Enige aansoeke in terme van sub-artikel (a) moet ingedien word –
- i) op die voorgeskrewe vorm en 'n beskrywing van die ras, geslag en getal honde waarvoor daar aansoek gedoen word, bevat;
 - ii) planne en spesifikasies van strukture voorgestel, waarin die honde aangehou sal word;
 - iii) 'n terreinplan wat alle huidige of voorgestelde strukture en heinings van die perseel voorstel, waarvoor 'n permit vereis word;
 - iv) en die geskrewe toestemming van die omringende eienaars;
 - v) enige ander inligting versoek.
 - vi) bewys van 'n geregistreerde teeler by KUSA (Kennel Unie van Suid-Afrika) of die spesifieke honde teeler se federasie.
- (b) Die Munisipaliteit mag 'n eiendom inspeksie en betaling van die voorgestelde inspeksiekostes versoek en ook van die aansoeker versoek om enige inligting wat geag relevant tot die oorweging van die aansoek mag wees, te voorsien, sodat dit 'n ingeligte besluit kan neem.
- (c) Die Munisipaliteit mag 'n aansoek weier as die hond of die perseel ongeskik vir teeldoeleindes, deur die inspekteerbeamptes, ag te wees.
- (d) 'n Permit mag nie van een hond na 'n ander of van een perseel, waar dit uitgereik is, na 'n ander perseel oorgedra word nie.
- (e) Permitaansoekfooie en tariewe sal jaarliks hernu word.
- (f) Indien enige ongesteryliseerde hond gedurende die permitperiode deur 'n geregistreerde veearts gesteriliseer word, moet bewyse daarvan, tesame met die oorspronklike permit aan die Munisipaliteit gelewer word.
- (g) Die Munisipaliteit sal deur die DBV in die administrasie van die prosessering van aansoeke vir permitte, gehelp word.
- (h) Honde en katte wat te oud of fisies onbevoeg is om 'n sterilisasie te ondergaan is vrygestel, indien 'n veearts dit skriftelik aanbeveel.
- 4.4 Permitte om meer honde as die voorgeskrewe getal aan te hou.

- 4.4.1 Enige persoon of teeler wat meer honde op die perseel wil aanhou as wat voorgeskryf is, in terme van artikel 3, moet by die Munisipaliteit aansoek doen om 'n permit, wat nie onredelik geweier sal word nie.
- 4.4.2 'n Aansoek in terme van sub-artikel 4.4.1, moet in skrif op 'n voorgeskrewe vorm en saam met die voorgeskrewe tarief wees. Dieselfde inligting soos in 4.3.1 (a) verwys, moet ook ingedien word.
- 4.4.3 Die Munisipaliteit mag 'n perseelinspeksie versoek en die aansoeker moet enige inligting kan voorsien, wat relevant tot die aansoek mag wees, sodat 'n ingeligte besluit geneem kan word.
- 4.4.4 Die Munisipaliteit mag weier om 'n aansoek in terme van sub-artikel (4.4.1) te oorweeg of as die bepalinge van sub-artikel (4.4.2) nie aan voldoen is nie, of as inligting, soos versoek in subartikel (4.4.3) nie voorsien was nie.
- 4.4.5 Die Munisipaliteit mag slegs 'n aansoek in terme van sub-artikel (4.4.1) oorweeg nadat 'n geskrewe verslag van die gemagtigde beampte ontvang is:-
- (a) of die getal honde waarvoor die permit vereis word, moontlik 'n publieke gesondheidsoorlas of die aanhou van so 'n getal honde teenstrydig met artikel 4.4.6 sal wees;
 - (b) gee agtergrond oor die uitslae van 'n inspeksie van die perseel, waar die betrokke honde aangehou word of aangehou sal word; en
 - (c) of 'n hond voorheen van die aansoeker se sorg verwyder was en of hy 'n vorige kriminele skuldigbevinding of siviele vonnis teen of hom of haar het, vir die wreedheid teenoor 'n dier.
- 4.4.6 Die Munisipaliteit mag 'n aansoek in terme van sub-artikel (4.4.1) weier of goedkeur, afhangende enige voorwaardes wat gestel is om die risiko van enige publieke gesondheidslas wat deur honde op die perseel veroorsaak is, te handhaaf of om die risiko te verminder, na 'n vlak wat vir die Munisipaliteit aanvaarbaar is.
- 4.4.7 In respek tot enige aansoek, wat in terme van sub-artikel (4.4.6) goedgekeur is, kan 'n gemagtigde beampte 'n permit op die voorgeskrewe vorm uitreik, wat elke voorwaarde soos opgelê deur die Munisipaliteit, spesifiseer.
- 4.4.8 'n Permit mag nie van een hond na die ander of van een perseel, waar dit uitgereik is, na 'n ander perseel, oorgedra word nie.
- 4.5 Verandering, opskorting en kansellasië van permitte.

Die Munisipaliteit mag na oorweging van 'n verslag en aanbeveling deur 'n gemagtigde beampte of veearts, met 'n geskrewe kennisgewing aan die houer van 'n permit, inaggenome artikels 2 en 4:-

- (a) die permit verander, opskort of kanselleer, as oortuig is dat die nie-uitvoering daarvan die volgende sal veroorsaak:-
 - i) die skep of voortsetting van 'n publieke gesondheidsoorlas; of
 - ii) 'n voortdurige oortreding van enige bepaling van artikel 4.6;
- (b) met onmiddellike ingang die permit verander, opskort of kanselleer as:
 - i) so 'n beampte van mening was dat dit dringend nodig was om so op te tree, as dit 'n betekenisvolle risiko vir die publiek inhou, deur 'n publieke gesondheidsoorlas of 'n potensiële gesondheidsoorlas; of
 - ii) daar 'n kriminele saak hangend is teen die permit houer of 'n siviele saak, waarby die permithouer betrokke is, wat handel oor die wreedheid teenoor 'n dier.
- (c) Die Munisipaliteit sal deur die DBV gehelp word in die administrasie van die prosessering van die aansoeke vir permitte, alle permitte sal deur die Munisipaliteit uitgereik word.

4.6 Beletsels tot die aanhou van diere

Geen persoon sal:-

- (a) toelaat dat enige teef op hitte wat aan hom of haar behoort of aangehou word, in enige publieke straat of 'n publieke plek voorkom nie;
- (b) enige hond aanhits om aan te val, pla of 'n persoon of dier dreig deur nalatigheid, nie voorkom dat enige hond enige persoon of dier beseer, pla of dreig nie, behalwe waar dit in selfverdediging van so 'n persoon is, wat sy of haar eiendom verdedig of die van enige ander persoon;
- (c) 'n hond aanhou wat skade aan publieke eiendom veroorsaak;
- (d) 'n hond aanhou aan 'n ketting of op enige ander manier;
- (e) om 'n hond in sy afval aanhou of om te versuim, om die afval gereeld genoeg te verwyder, wat nie 'n gesondheidsoorlas sal inhou nie of van sulke afval op 'n geskikte manier ontslae van raak;
- (f) 'n hond aanhou wat blaf, huil of kerm op so 'n manier dat dit 'n onredelike oorlas of steurnis aan die inwoners van 'n buurt inhou of enige ander gewoonte het, wat 'n onredelike las of steurnis aan die inwoners van die buurt, veroorsaak;
- (g) 'n hond aanhou wat uitgehonger of ondervoed is, of om te voorkom dat die hond toegang het tot skoon water en genoegsame skuiling;

- (h) 'n hond aanhou wat 'n oorlas aan die inwoners van 'n buurt veroorsaak, deur die gewoonte het, om enige voertuig, diere, pluimvee, voëls of persone buite die perseël, waarop dit aangehou word, te jaag; of
- (i) enige hond, wat aan hom of haar behoort of aangehou word toelaat:-
 - i) om in 'n publieke straat of publieke plek aangehou word, terwyl dit lei aan brandsiekte of enige ander infeksie of aansteeklike siekte en wat nie kan bewys dat die hond onder behandeling van 'n geregistreerde veearts of 'n dierewelsyn organisasie is en nie meer langer 'n publieke gesondheidsoorlas is nie;
 - ii) om, terwyl dit erg siek of beseer is, dit nie deur 'n gekwalifiseerde veearts te laat versorg nie;
 - iii) wat, soos deur die gemagtigde beampte beskou word as wild, wreed of gevaarlik is om in enige publieke straat of publieke plek te wees, behalwe as dit wenslik geneusband, aan 'n leiband en onder beheer is;
 - iv) om 'n privaat eiendom onregmatig te betree;
 - v) om 'n oorlas vir verkeer te veroorsaak deur enige publieke straat te gebruik;
 - vi) om volgens sy of haar kennis waarskynlik 'n bron van gevaar vir 'n besering aan enige persoon, buite die perseel waarop so 'n hond aangehou word, veroorsaak;
 - vii) om in 'n publieke straat of 'n publieke plek te wees, tensy aan 'n leiband en onder die kontrole, behalwe as die hond in 'n area, wat as 'n vrye hardloop area deur die Munisipaliteit toegeken is;
 - viii) om alleen gelaat te word in 'n oop bakkie in enige publieke plek of publieke straat;
 - ix) om 'n gevaarlike hond op 'n eiendom aan te hou, sonder om 'n bord wat 'n moontlike gevaar aandui, buite die eiendom te vertoon;
- (j) Om enige wilde of gevaarlike hond in enige publieke straat of publieke plek toe laat sonder dat dit menslik geneusband en aan 'n leiband is en onder beheer is van 'n bevoegde volwasse hondhanteerder.
- (k) 'n Hond aanhou wat nie 'n mikro-skyfie of op sy halsband, die kontakligting van sy eienaar of 'n instansie vir die voorkoming van wreedheid van diere of 'n geregistreerde dierewelsyn organisasie, het nie;
- (l) Enige hond uitlok, aanhits, teister, verskrik of terg nie.
- (m) Enige hond aanhits, insluitende hondjies of katjies in 'n publieke plek verkoop.

4.7 Beslaglegging, skut en uitsit van honde

- 4.7.1 'n Gemagtigde beampte of 'n persoon wat gemagtig is deur 'n persoon, liggaam of struktuur soos vervat in die definisie van Munisipaliteit, mag enige perseël binne gaan en op 'n hond beslag lê en skut na 'n plek, vasgestel deur die Munisipaliteit, wat:-
 - (a) uitgesit mag word, in terme van sub-artikel (4.7.10) of enige ander wetgewing;
 - (b) in sy of haar opinie, lei aan brandsiekte of enige ander infeksie of aansteeklike siekte;
 - (c) in sy of haar opinie, 'n oorlas vir die verkeer in 'n publieke straat veroorsaak;

- (d) loop rond en duidelik nie 'n eienaar het nie;
 - (e) gevind is in enige publieke plek of publieke straat waar so 'n hond, volgens die opinie van die gemagtigde beampte nie aan 'n leiband of onder behoorlike beheer is nie, behalwe as die hond in 'n area is, wat toegeken is deur die Munisipaliteit, as 'n vrye hardloop area;
 - (f) enige perseël ingaan, terwyl 'n gemagtigde beampte besig is om dit in bewaring te neem;
 - (g) honger of ondervoed is of nie toegang het tot water of skuiling;
 - (h) onmenslik opgesluit is; of
 - (i) aangehou word teenstrydig met enige bepalings van hierdie Verordening;
 - (j) 'n gevaarlike hond en in 'n publieke straat of 'n publieke plek is en nie geneusband is nie.
- 4.7.2 Enige persoon mag op die perseël waarvan hy of sy die eienaar of bewoner is, 'n hond wat onregmatig die perseel betree, in besit neem, met die doel om dit te skut.
- 4.7.3 Nieteenstaande die bepalings van sub-artikels 4.7.1 en 4.7.2, mag geen persoon enige hond in bewaring neem met die doel om dit te skut, as daar redelike grond is om te glo dat die hond 'n teef is met ongesoogde kleintjies, behalwe as so 'n hond en die ongesoogde kleintjies saam in bewaring geneem word.
- 4.7.4 Enige persoon wat 'n hond in bewaring neem in terme van hierdie artikel: -
- (a) moet seker maak dat die hond nie mishandel word nie; en
 - (b) mag, wanneer die skut gesluit is, die hond in sy of haar bewaring neem, totdat die skut weer oopmaak.
- 4.7.5 Geen persoon mag 'n hond vrylaat, wat in bewaring geneem is deur 'n gemagtigde beampte, of wat in bewaring is in terme van hierdie artikel of wat geskut is nie.
- 4.7.6 Die Diere Beskermings Vereniging sal 'n rekord hou van alle honde wat op beslag gelê is of wat geskut is in terme van hierdie Verordening, wat die ras, merke en kenmerkende eienaardighede (indien enige) van sulke honde, asook die laaste datum waarop hul vrygelaat was of nie, insluit en sulke rekords sal beskikbaar gestel word vir inspeksie deur die publiek by die Kantore van die Diere Beskermings Vereniging, gedurende kantoorure.
- 4.7.7 Enige persoon mag 'n geskutte hond eis, as hy of sy:-
- (a) die skutmeester tevrede stel, dat hy of sy die eienaar is of andersins geregtig is om sodanige hond aan te hou;
 - (b) die skutmeester tevrede stel, dat die vrylating van die hond in sy of haar beheer, sal nie lei tot die oortreding van hierdie Verordening nie;

- (c) aan die skutmeester die voorgeskrewe fooi en die bedrag van veearts uitgawes, indien enige, van sodanige hond, betaal; en
 - (d) indien die hond gesteriliseer is, as dit ouer as vir (4) maande is, vir die kostes van die eienaar sal wees, soos gereël met die Diere Beskermings Vereniging.
- 4.7.8 'n Hond wat geskut is in terme van sub-artikel (4.7.1), behalwe 'n hond wat geskut is in terme van sub-artikel (4.7.1(b)), sal vrygelaat word aan die eienaar of 'n persoon wat die hond sal aanhou, indien die fooi, soos bepaal deur die Munisipaliteit betaal was en die hond gesteriliseer was.
- 4.7.9 'n Hond wat geskut is in terme van sub-artikel (4.7.1), behalwe 'n hond wat geskut is in terme van sub-artikel 4.7.1(b) mag verkoop of vernietig word, nadat dit vir nie minder as sewe dae aangehou was en nadat so 'n vernietiging deur 'n gekwalifiseerde veearts goedgekeur was, behalwe as dit opgeeis en vrygelaat was, in terme van sub-artikel (4.7.7) of sub-artikel (4.7.8).
- 4.7.10 Nieteenstaande die bepaling van sub-artikel (4.7.9), 'n hond wat op beslag gelê is of wat geskut is, in terme van:-
- (a) sub-artikel 4.7.1(b); of
 - (b) enige bepaling van hierdie verordening of die bepaling van enige ander wet en wat deur die gemagtigde beampte gevind is:-
 - i) wat besig is om aan 'n ongeneeslike infeksie te lei of 'n aansteeklike siekte het, of wat lei aan 'n vreeslike siekte of beseer te wees;
 - ii) wat wild, wreed of gevaarlik is,
- mag sodanig uitgesit word.
- 4.7.11 As 'n gemagtigde beampte van die opinie is, dat 'n hond 'n hond is, soos bepaal in artikel 4.7.6 kan hy of sy:-
- (a) toesien dat 'n kennisgewing op die eienaar van so 'n hond gedien word, wat vereis dat so 'n eienaar sodanige stappe moet neem wat sodanige steurnis/oortreding sal verminder en die gemagtigde beampte tevrede sal stel, dat die hond behoorlik na gekyk word;
 - (b) die hond skut en met dit handel in terme van hierdie artikel, op voorwaarde, dat so 'n hond nie aan sy eienaar vrygelaat sal word nie, behalwe as sodanige eienaar, binne die periode van sewe dae soos per artikel 4.7.9, aan die gemagtigde beampte bewys kan lewer, dat sodanige hond, as dit aan hom of haar gegee word, nie verder enige steurnis sal veroorsaak nie en onder beheer gehou sal word.
- 4.7.12 Die uitsit van enige hond sal deur middel van sodanige metode geskied, wat pynloos is vir die hond soos goedgekeur deur 'n geregistreeerde veearts en sal onder die beheer van 'n gemagtigde amptenaar plaasvind.

4.7.13 Die opbrengs van enige verkope, sal aangewend word om koste in verband met sodanige verkope en die skut van sodanige hond, te help dek.

4.7.14 Nie die Munisipaliteit of die gemagtigde beampte of enige werknemer van die Munisipaliteit sal aanspreeklik gehou word vir enige besering of 'n siekte, wat opgedoen is, of skade veroorsaak aan enige hond, as gevolg van of gedurende 'n beslaglegging, skut, aanhouding, verkope, hervestiging of uitsit in terme van hierdie Verordening nie.

4.8 Die redding van rondloperhonde

'n Persoon wat 'n rondloperhond red, sal die datum en tyd van die redding en 'n omskrywing van die hond aan die Munisipaliteit rapporteer en dit aan die munisipale skut, binne vier en twintig ure, oorhandig.

4.9 Omheining van eiendom

Geen persoon mag 'n hond aanhou, as sy of haar perseel nie behoorlik en redelik omhein is om so 'n hond binne te hou, wanneer die hond nie aan 'n leiband is nie, behalwe as die hond toegesluit is op die perseel, op voorwaarde dat dit nie onmenslik is, volgens die bevoegde beampte nie.

4.10 Afbakening van publieke plekke as vry-hardloop, aan leibande of buite-perke.

Die Munisipaliteit kan publieke areas, met toepaslike kennisgewingborde, as een of meer vry-hardloop, aan leibande of buite-perke, afbaken en die afbakening kan verskil volgens die tyd van die dag of seisoen.

4.11 Verwydering van afval

- (a) As enige hond ontlas in enige publieke plek of publieke straat, sal enige persoon, wat in beheer is van so 'n hond die ontlasting verwyder, dit in 'n plastiek of papiersak plaas en dit weggooi in 'n vullisdrom, wat vir afval of vullis geskik is;
- (b) Geen persoon mag met 'n hond, behalwe 'n gidshond, in 'n publieke plek of publieke straat loop, sonder om 'n genoegsame aantal plastiek of papiersakke te dra, waarin die ontlasting van die hond geplaas kan word, indien die hond sou ontlas.

4.12 Permit om sekuriteitshonde te gebruik

Die eienaars of gebruikers van sekuriteitshonde, mag vir 'n permit, wat aan artikels 4.7.2 tot 4.7.8 voldoen, aansoek doen.

4.13 'n Hond mag nie 'n bron van gevaar wees nie

- (a) Enige persoon wie 'n hond op enige perseël aanhou, sal die hond op so 'n manier aanhou, wat nie 'n gevaar vir die Munisipaliteit se werknemers, indien hul sulke persele moet betree, met die uitvoering van hul pligte, inhou nie.
- (b) 'n Kennisgewing dat 'n hond op die perseël aangehou word, moet in 'n geskikte plek, by elke toegangspunt tot die perseël, vertoon word.

4.14 Honde op persele waar kos verkoop word

- (a) Die eienaar of persoon in beheer van enige winkel, waar kos voorberei, verkoop of aangebied word om te verkoop, sal nie toelaat dat 'n hond so 'n winkel of plek betree nie.
- (b) Die bepalinge van hierdie artikel is nie van toepassing op die Suid-Afrikaanse Polisie Diens of 'n gidshond, wat gebruik word om 'n blinde persoon te vergesel nie.

4.15 Hondekennels, troeteldier-winkels en troeteldier-salonne

- (a) Geen kennels, troeteldier-winkel of troeteldier-salon mag sonder die toestemming van die Munisipaliteit bedryf word nie.
- (b) Aansoek om toestemming moet gedoen word, soos voorgeskryf deur die Munisipaliteit.
- (c) Die persoon wat 'n kennels, troeteldier-winkel of 'n troeteldier-salon bedryf, mag nie die besigheid op so 'n wyse bedryf, wat enige risiko, steuring of oorlas aan ander mense, veroorsaak nie.

4.16 Aanhitsing van diere

Geen persoon mag 'n dier aanhits:-

- (a) in 'n straat of publieke plek; of
- (b) in of van 'n beweegbare struktuur of voertuig;
- (c) by publieke markte

5. Katte

5.1 Sterilisasie van katte

- 5.1.1 Alle katte (manlik en vroulik) ouer as 6 maande moet gesteriliseer word;
- 5.1.2 'n Gemagtigde beampte kan toesien dat 'n kat gesteriliseer word, as hy of sy dit nodig ag,
 - (a) in die belang van die welsyn van die kat;
 - (b) om oorlas te voorkom;
 - (c) wanneer 'n kat rondloop;
 - (d) op versoek van die eienaar;
 - (e) volgens hierdie verordening

en die koste daarvan kan van die eienaar verhaal word.

5.1.3 Die eienaar van 'n gesteriliseerde kat moet bewyse kan lewer dat die kat gesteriliseer is deur 'n geregistreerde veearts en moet sodanige dokument, op versoek, vir inspeksie, aan enige gemagtigde amptenaar, kan voorsien.

5.1.4 Sub-artikel 5.1.1 is nie van toepassing op 'n kat, waar die eienaar 'n permit van die Munisipaliteit kry om 'n ongesteryliseerde kat aan te hou nie.

5.2 Permit om 'n ongesteryliseerde kat aan te hou

Enige persoon wat 'n ongesteryliseerde kat wil aanhou, met of sonder die doel om daarmee te teel, moet 'n permit van die Munisipaliteit verkry:-

- (a) 'n Aansoek om 'n ongesteryliseerde kat aan te hou moet op skrif wees, op 'n voorgeskrewe vorm en moet met die voorgeskrewe fooi, vergesel wees.
- (b) Die Munisipaliteit kan 'n eiendom inspeksie versoek en die aansoeker versoek om enige relevante inligting, wat nodig is om 'n ingeligte besluit te maak, te voorsien.
- (c) Die Munisipaliteit mag weier om 'n aansoek te oorweeg, indien die inspeksie beamptes die kat of die perseel onvanpas vir teel doeleindes, vind.
- (d) 'n Permit is nie van een kat na 'n ander kat, of van die perseel waarop dit uitgereik is, na 'n ander, oordraagbaar nie.
- (e) Permit aansoeke en fooie word jaarliks hernu.
- (f) Indien 'n ongesteryliseerde kat deur 'n geregistreerde veearts, gedurende die permit periode gesteriliseer word, moet bewyse van die sterilisasie, asook die oorspronlike permit aan die Munisipaliteit voorsien word.
- (g) Die aansoek moet van 'n bewys van Registrasie van die spesifieke ras vergesel wees.

5.3 Beperking op die getal katte

5.3.1 Die Munisipaliteit bepaal die getal katte wat op enige perseel aangehou mag word.

5.3.2 Geen persoon mag meer as:-

- (a) Twee katte, of toelaat dat meer as twee katte, ouer as ses maande, op enige perseel aangehou word nie;
- (b) Vier katte, of toelaat dat meer as vier katte, op 'n landbou eiendom of 'n kleinhoewe van 2.5 hektaar of groter, aangehou word nie.
- (c) Meer as twee katte aanhou, behalwe as die katte onder 5.2(g) val.

5.3.3 Sub-artikel 5.3.2 is nie van toepassing op enige persoon wie:-

- (a) die houer is van 'n permit, wat in terme van artikel 5.3.4 uitgereik is om 'n grote getal katte aan te hou;
- (b) die houer is van 'n permit, om 'n kattediens te bedryf;

- (c) die eienaar of bestuurder is, of in beheer is van 'n troeteldier-winkel en wie geskrewe bewys het, dat al die katte onder die beheer van sodanige eienaar of bestuurder, teen katgriep en katverwante bloedkanker siektes ingeent is;
- (d) die eienaar of 'n bestuurder van 'n veeartskliniek is;
- (e) bedryf 'n skut; of
- (f) is onder die beheer van die DBV of ander welsyn-organisasie.

5.3.4 'n Persoon van wie 'n kat voorheen uit sy of haar sorg verwyder was, of wie 'n vorige kriminele skuldigbevinding of siviele vonnis teen hom of haar het, vir wreedheid teenoor 'n dier, mag nie 'n kat aanhou, tensy die Munisipaliteit anders besluit.

5.4 Permitte om meer katte, as die voorgeskrewe getal aan te hou.

- 5.4.1 Enige persoon wat meer katte, as die voorgeskrewe getal, soos toegestaan in artikel 3, wil aanhou, moet by die Munisipaliteit aansoek doen vir 'n permit en sal nie onredelik verbied word nie.
- 5.4.2 'n Aansoek in terme van sub-artikel 5.4.1, moet in skrif wees, op 'n voorgeskrewe vorm en met die voorgeskrewe fooi, vergesel wees.
- 5.4.3 Die Munisipaliteit kan 'n eiendom inspeksie versoek en enige inligting, wat geag relevant is, wat dit kan gebruik, om 'n ingeligte besluit te kan maak.
- 5.4.4 Die Munisipaliteit kan 'n aansoek in terme van sub-artikel 5.4.3 weier, indien die voorwaardes van sub-artikel 5.4.1 nie aan voldoen is nie, of inligting soos versoek in sub-artikel 5.4.3, nie voorsien was nie.
- 5.4.5 Die Munisipaliteit mag slegs 'n aansoek in terme van sub-artikel 5.4.1 oorweeg, nadat bewys van 'n geskrewe verslag van 'n gemagtigde beampte ontvang is:-
 - (a) of die kat, waarvoor die permit uitgereik was, moontlik 'n publieke gesondheidsrisiko sal veroorsaak;
 - (b) toon die resultate van 'n inspeksie van die perseel, waarop sodanige kat aangehou word; en
 - (c) of daar voorheen 'n kat van die aansoeker se sorg verwyder was, of dat hy of sy 'n vorige kriminele skuldigbevinding of siviele vonnis teen hom of haar het, vir wreedheid teenoor diere.
- 5.4.6 Die Munisipaliteit kan 'n aansoek in terme van sub-artikel 5.4.1 weier of dit goedkeur, op voorwaarde dat dit goedgekeur word, op voorwaarde dat toestande aangepas word om die risiko van enige publieke gesondheidslas, wat moontlik deur die katte op die perseel veroorsaak kan word, verminder, of die risiko te verminder tot 'n vlak, wat aanvaarbaar vir die Munisipaliteit is.
- 5.4.7 In respek tot enige aansoek, wat in terme van sub-artikel 5.4.6 goedgekeur is, kan 'n gemagtigde beampte 'n permit op die die voorgeskrewe vorm uitreik, wat elke voorwaarde, soos bepaal deur die Munisipaliteit, spesifiseer.
- 5.4.8 'n Permit is nie oordraagbaar vanaf een kat na 'n ander kat af van die perseel waarop dit uitgereik is, na 'n ander perseel nie.

5.5 Katte in bewaring neem

- 5.5.1 'n Gemagtigde beampte of 'n gemagtigde persoon kan, vir die doel om 'n kat te skut, enige kat, wat teenstrydig met artikels 5.2 en 5.3 aangehou word, in bewaring neem.
- 5.5.2 Die Munisipaliteit kan die nodige stappe neem, om te verseker dat rondloper of wilde katte op 'n menslike manier geskut word.

6. Werkende diere

6.1 Permitte om werkende diere aan te hou

- 6.1.1(a) Enige eienaar wat 'n werkende dier wil gebruik, moet by die Munisipaliteit vir 'n permit aansoek doen.
- (b) Nie meer as een permit mag vir 'n werkende dier uitgereik word nie.
- 6.1.2 'n Aansoek in terme van sub-artikel 6.1.1, moet in skrif op 'n voorgeskrewe vorm wees en moet vergesel wees van:-
- (a) die voorgeskrewe fooi;
- (b) dokumentere bewyse, dat die werkende dier instaat is om 'n dier-aangedrewe voertuig te trek;
- (c) enige persoon wat 'n werkende dier teenstrydig met bogenoemde gebruik, kan beboet word.
- 6.1.3 Die Munisipaliteit kan die aansoeker versoek om enige verdere inligting voorsien, wat relevant tot die aansoek mag wees, sodat 'n ingeligte besluit geneem kan word.
- 6.1.4 Die Munisipaliteit kan weier om 'n aansoek, in terme van sub-artikel 6.1.2, te oorweeg of as die bepalings van sub-artikel 6.1.2 nie aan voldoen is nie, of as inligting soos versoek in sub-artikel 6.1.3, nie voorsien was nie.
- 6.1.5 Die Munisipaliteit mag slegs 'n aansoek in terme van sub-artikel 6.1.1 oorweeg, nadat 'n geskrewe verslag van die gemagtigde beampte ontvang is:-
- (a) of die werkende dier, waarvoor die permit vereis word, moontlik 'n oorlas in n publieke plek sal wees, of die gebruik daarvan teenstrydig met artikel 6.1.3, sal wees;
- (b) agtergrond gee oor die uitslae van 'n inspeksie van die werkende dier en sy werksomstandighede; en
- (c) of die werkende dier voorheen van die aansoeker se sorg verwyder was en of hy of sy vorige kriminele skuldigbevinding of siviele vonnis teen hom of haar het, terwyl die dier in sy of haar sorg was.
- 6.1.6 Die Munisipaliteit kan 'n aansoek in terme van sub-artikel 6.1.1 weier of goedkeur, afhangende enige voorwaardes, wat gestel is om die risiko van 'n

- oorlas in 'n publieke plek te verminder, na 'n vlak wat vir die Munisipaliteit aanvaarbaar is.
- 6.1.7 'n Persoon wat vir 'n permit, in terme van sub-artikel 6.1.1 aansoek gedoen het, mag nie 'n werkende dier laat werk gedurende die oorweging van die aansoek en tydens die afwesigheid van 'n permit nie.
- 6.1.8 In respek tot enige aansoek, wat in terme van sub-artikel 6.1.1 goedgekeur is, kan 'n gemagtigde beampte 'n permit op die voorgeskrewe vorm uitreik, wat elke voorwaarde, soos bepaal deur die Munisipaliteit, spesifiseer.
- 6.1.9 'n Permit is nie van een eienaar na 'n ander oordraagbaar nie.

6.2 Verandering, opskorting en kansellasië van permitte

Die Munisipaliteit kan na oorweging van 'n verslag en aanbeveling deur 'n gemagtigde beampte of veearts, met 'n geskrewe kennisgewing aan die houer van 'n permit, inaggenome artikel 6.1:-

- (a) die permit verander, opskort of kanselleer, as oortuig is dat nie-uitvoëring daarvan die volgende sal veroorsaak:-
- i) die skep of voortsetting van 'n oorlas in 'n publieke plek; of
 - ii) 'n voortdurige oortreding van enige bepaling van artikel 6.3;
- (b) met onmiddellike ingang die permit verander opskort of kanselleer, as so 'n beampte van mening was dat dit dringend nodig was om so op te tree, as dit 'n betekenisvolle risiko vir die publiek inhou, deur 'n oorlas in 'n publieke plek veroorsaak.

6.3 Beheer oor werkende diere

Geen persoon wat met 'n werkende dier werk sal –

- (a) die werkende dier in 'n publieke plek toelaat, terwyl dit ongeskik is om 'n dier-aangedrewe voertuig te trek of om 'n onredelike vrag te dra nie;
- (b) die werkende dier toelaat om 'n oorlas vir die verkeer in enige publieke straat, te veroorsaak;
- (c) die werkende dier toelaat, indien dit volgens sy of haar kennis waarskynlik 'n bron van gevaar of besering aan enige persoon, wat 'n publieke straat gebruik, sal wees;
- (d) die werkende dier toelaat om in enige publieke straat of publieke plek te wees, behalwe as dit onder sy of haar beheer is;
- (e) met enige werkende dier werk, wat nie die naam, telefoon nommer en adres van sy eienaar op het nie;
- (f) enige werkende dier toelaat om enige voertuig te trek, of enige harnas te gebruik, wat nie aan die SABS standarde en voorwaardes (Skedules "C" en "D"), wat deur die Munisipaliteit, van tyd tot tyd, afgevaardig is voldoen nie.

6.4 Beslaglegging, skut en uitsit van werkende diere

- 6.4.1 'n Gemagtigde beampte kan enige perseel binne gaan en op 'n werkende dier beslag lê en skut na 'n plek, vasgestel deur die Munisipaliteit, wat:-
- (a) uitgesit mag word, op advies van 'n veearts of in terme van die bepalings van enige wetgewing;
 - (b) in sy of haar opinie ongeskik is om 'n dier-aangedrewe voertuig te trek;
 - (c) in sy of haar opinie, 'n oorlas vir die verkeer in 'n publieke straat veroorsaak;
 - (d) rondloop en duidelik nie 'n eienaar het nie;
 - (e) gevind is in enige publieke plek, waar so 'n werkende dier, volgens die opinie van die gemagtigde beampte, nie onder behoorlike beheer is nie.
- 6.4.2 Die Munisipaliteit sal 'n rekord hou van alle werkende diere wat op beslag gelê en geskut is, in terme van hierdie Verordening, wat die ras, merke en kenmerkende eienskappe (indien enige) van sodanige werkende dier sal aantoon, asook die laaste datum waarop hul vrygelaat was, en sodanige rekords sal vir inspeksie deur die publiek, by die Munisipale kantore, gedurende kantoor ure, beskikbaar wees.
- 6.4.3 'n Werkende dier wat geskut is in terme van sub-artikel 6.4.1, sal aan die eienaar of persoon, wat die werkende dier aanhou, gelewer word, indien die Munisipaliteit se vasgestelde fooi betaal is.
- 6.4.4 'n Werkende dier wat geskut is in terme van sub-artikel 6.4.1, mag verkoop of verhuis word, nadat dit vir nie minder as sewe dae aangehou was nie, behalwe indien dit opgeeis en vrygelaat sou gewees het, in terme van sub-artikel 6.4.3.
- 6.4.5 As 'n gemagtigde beampte van die opinie is, dat 'n werkende dier 'n werkende dier is, soos bepaal in artikel 6.3, kan hy of sy:-
- (a) toesien dat 'n kennisgewing op die eienaar van so 'n werkende dier gedien word, wat vereis dat so 'n eienaar sodanige stappe moet neem, wat sodanige steurnis sal verminder en die gemagtigde beampte tevrede sal stel, dat die werkende dier behoorlik beheer sal word;
 - (b) die werkende dier skut en met dit handel in terme van hierdie artikel, op voorwaarde dat so 'n werkende dier nie aan sy eienaar vrygelaat sal word nie, behalwe as sodanige eienaar, binne die periode van sewe dae soos per artikel 6.4.4, aan die bevoegde beampte bewys kan lewer, dat sodanige werkende dier, as dit aan hom of haar gegee word, nie verder enige steurnis sal veroorsaak nie en onder beheer gehou sal word.
- 6.4.6 Die opbrengs van enige verkope, aangewend sal word om koste in verband met sodanige verkope en die skut van sodanige werkende dier, te help dek.
- 6.4.7 Nie die Munisipaliteit of die gemagtigde beampte of enige werknemer van die Munisipaliteit, sal aanspreeklik gehou word vir enige besering of 'n siekte, wat opgedoen is, of skade veroorsaak aan enige werkende dier, as gevolg van of gedurende 'n beslaglegging, skut, aanhouding, verkope, hervestiging of uitsit, in terme van hierdie Verordening nie.

6.5 Die redding van geskutte werkende diere is ontoelaatbaar

Geen persoon kan, deur dreigemente van geweld of andersins, 'n werkende dier red van die persoon of persone in beheer van enige werkende dier, wat wettiglik na die skut gebring was, of kan probeer om so 'n werkende dier te red, nadat sodanige werkende dier wettiglik deur 'n bevoegde beampte, geskut was.

7. Diere en pluimvee

7.1 Om publieke gesondheid te bevorder, kan geen persoon toegelaat word om enige dier of pluimvee, soos gedefinieer, op enige residensiële perseel of eiendom aan te hou nie, sonder die toestemming van die Munisipaliteit.

7.2 Permitte

7.2.1 Vir die doel om publieke gesondheid en publieke oorlaste te beperk, kan die Munisipaliteit van tyd tot tyd die getal diere of pluimvee, wat per eenheidsarea en areas waar sodanige diere en pluimvee, aangehou mag word, bepaal.

7.2.2 Die Munisipaliteit kan van tyd tot tyd, die soorte diere en pluimvee, waarvoor 'n permit vereis word en waarvoor die relevante aansoekfooi en jaarlikse fooi vir so 'n permit vereis word, bepaal.

7.2.3 Permitte wat in terme daarvan uitgereik word, kan nie oorgedra word nie, en kan slegs geldig wees vir die spesifieke eiendom, waarvoor die aansoek gemaak was.

7.2.4 Die Munisipaliteit sal deur die Diere Beskermings Vereniging in die administrasie van die prosessering van aansoeke vir permitte, gehelp word.

7.2.5 Enige persoon wie 'n dier in 'n kennel, hok of looparea of beperkte plek, binne of buite 'n gebou, aanhou, sal verseker dat die kennel, hok of looparea gereeld skoon gemaak word en dat mis nie opgaar nie.

7.2.6 Geen diere, insluitend honde en katte kan in 'n krat of hok, wat natuurlike vryheid en beweging beperk, of wat nie genoegsame spasie vir oefening het nie, volgens die behoeftes van die dier, aanhou nie.

7.2.7 Elke persoon wat 'n dier aanhou moet:-

(a) skoon drinkbare drinkwater te alle tye en genoegsame hoeveelheid geskikte kos, wat bydrae tot die normale liggaamsgewig, met skoon bakke vir kos en water, voorsien;

(b) die nodige sorg van 'n veearts, indien die dier tekens van 'n besering, pyn of leiding toon, wat mediese sorg verg, voorsien.

7.2.8 Alle diere moet aangehou word, volgens hierdie Verordening en enige ander voorgeskrewe wetgewing, waar toestemming verleen word om 'n dier aan te hou, 'n permit sal vertoon moet word, wanneer dit vereis word.

7.3 Aansoeke

- 7.3.1 Die Munisipaliteit kan 'n aansoek in terme van artikel 7.2.1, wat vergesel is van 'n volledige terreinplan, wat die huidige of voorgename strukture en heinings op die eiendom aandui, waarvoor die permit nodig is, vereis.
- 7.3.2 Die Munisipaliteit kan 'n volledige plan en spesifikasies van strukture, waarin dit voorgestel word om diere en pluimvee aan te hou, versoek, om te oorweeg of 'n permit, waarvoor aansoek gedoen is, in terme van artikel 7.2.2, toegestaan sal word.
- 7.3.3 Nieteenstaande enigiets wat teenstrydig met hierdie Verordening is, kan die Munisipaliteit weier om 'n aansoek goed te keur, op voorwaarde dat spesiale voorwaardes, indien enige, volgens sy mening, die ligging van die eiendom, posisie of geografiese eienskappe of grootte, nie geskik is om diere en pluimvee aan te hou nie.
- 7.3.4 Geen struktuur waarin diere aangehou word, sal geleë wees:-
- (a) binne een en 'n half meter vanaf enige grens van 'n erf, wat aan 'n ander residensiële erf geleë is nie;
 - (b) binne ses meter van enige grens vanaf 'n erf, wat aan enige pad of publieke oop spasie geleë is nie; en
 - (c) binne vier en 'n half meter vanaf enige opstal, bediende kwartiere, bewoonde buitegeboue en winkel of gebou, waar kos voorberei word nie.
- 7.3.5 Waar 'n struktuur waarin diere aangehou word deel vorm van 'n buitegebou, wat vir menslike bewoning gebruik word, moet so 'n struktuur ten minste vier en 'n half meter vanaf so 'n bewoonde kamer geleë wees en moet ook nie onder dieselfde dak, as die bewoonde kamer wees nie.
- 7.3.6 Geen struktuur waarin pluimvee aangehou word sal geleë wees:-
- (a) binne een en 'n half meter vanaf enige grens of 'n residensiële erf;
 - (b) binne een en 'n half meter van enige opstal, bediende kwartiere, bewoonde buitegeboue en winkel of gebou, waar kos voorberei, verkoop of gestoor word.
- 7.3.7 Alle strukture waarin diere en pluimvee aangehou word, sal tot tevredenheid van die Munisipaliteit, weggehou word van enige straat.
- 7.3.8 Geen struktuur waarin pluimvee aangehou word sal hoër as drie en 'n half meter wees nie.
- 7.3.9 Nieteenstaande die voorafgenoemde bepalings, kan die Munisipaliteit, nadat dit omstandighede relevant tot 'n eiendom inaggeneem het en op voorwaarde dat geen beswaar van aangrensende en geaffekteerde bure ontvang was nie, enige vereistes van hierdie hoofstuk van afstand doen en ander voorwaardes stel, indien toepaslik.

7.4 Stoor van voedsel en mis, wegmaking van karkasse

- 7.4.1 Alle mis van diere en pluimvee wat aangehou word, sal voordat dit van die perseel verwyder word, onder 'n skuiling in 'n geseëde houër, waarin vlieë nie

kan kom nie, gestoor word en sal op 'n gereelde basis weggemaak word, sodat 'n oorlas nie geskep kan word nie, op voorwaarde dat sodanige afval nie kompos op die perseel insluit nie, behalwe in die geval van landbougrond.

7.4.2 Alle voer vir die diere en pluimvee sal in houers of 'n stoorkamer geberg word, waarin muise nie kan kom nie.

7.4.3 Die persele waar diere en pluimvee aangehou word sal in so 'n toestand wees, dat dit nie muise sal lok of huisves nie.

7.4.4 Karkasse moet op die eienaar se kostes verwyder word, op 'n wyse soos goedgekeur deur die Munisipaliteit.

7.5 Die Munisipaliteit sal van tyd tot tyd bepaal, dat 'n stoor waarin mis aangehou word, vry is van vlieë en muise en 'n stoor vir die berging van kos, van genoegsame grootte is en gebou is deur permanente materiaal, sal vereis word op die perseel, waar diere aangehou word.

7.6 Kennels en katkennels

Geen persoon kan 'n kennels of 'n katkennels aanhou sonder, dat daar aan die vereistes voldoen is en 'n permit vanaf die Munisipaliteit ontvang was nie:

(a) Honde en katte word apart in veilige hokke van 'n redelike grootte, soos in die opinie van die bevoegde beampte en aan die Munisipaliteit se gesondheid en bouvereistes voldoen.

Sulke hokke moet:-

- i) gebou wees van duursame materiaal;
- ii) 'n waterdigte skuiling voorsien of bevat;
- iii) die binnemure en vloere moet afgewerk wees met 'n gladde, skoon higieniese oppervlak, sonder krake en oop gate;
- iv) maak voorsiening vir genoegsame skoonmaak, ontsmetting en ontworming doeleindes;
- v) genoegsame drinkwaterpunte hê vir drink en skoonmaak doeleindes;
- vi) goedgekeurde vloerdreinerings verbind aan die Munisipaliteit se riool stelsel, hê.

(b) Aparte geïsoleerde fasiliteite vir siek honde en katte, wat voldoen aan die bevrediging van die Munisipaliteit, sal voorsien word;

(c) As katte in hokke aangehou word, moet sulke hokke van duursame, waterdigte materiaal gebou wees, om maklik skoon te maak.

7.7 Strukture moet in 'n goeie toestand wees en geen veranderings

7.7.1 Alle strukture moet te alle tye in 'n goeie toestand deur die eienaar of besitnemer van die perseel, gehou word.

7.7.2 Geen persoon kan aan die gebruik van die perseel waarop diere en pluimvee aangehou word, verander vir doeleindes, wat nie volgens die permit gespesifiseer is nie.

7.8 Kennisgewings, verandering en kansellasië van permitte

7.8.1 As, volgens die mening van die Munisipaliteit enige diere op enige perseël, in terme waarvan 'n permit deur die Munisipaliteit onder hierdie Verordening uitgereik is, 'n gesondheidslas, gevaar vir die gesondheid of die veiligheid van die publiek, of waar meer as die toegelate getal diere volgens die uitgereikte permit aanhou, kan die Munisipaliteit 'n geskrewe kennisgewing op die houer van die permit dien, of as hy afwesig is, die persoon in beheer, om sodanige oorlas of gevaar of getal diere wat te veel is, binne 'n gespesifiseerde periode, te verwyder.

7.8.2 Die houer van 'n permit of die persoon in beheer, moet as die kennisgewing in terme van sub-artikel 7.8.1 ontvang is, aan die vereistes, soos gespesifiseer deur die Munisipaliteit aan so 'n kennisgewing voldoen, by versuim kan die Munisipaliteit binne sy diskressie:-

- (a) die permit om diere op sodanige eiendom aan te hou, kanselleer, of
- (b) die permit verander

7.8.3 Die houer van die permit sal, indien deur die Munisipaliteit versoek word, die permit teruggee vir verandering of kansellasië, watter een ookal.

7.9 Diere aangebied om te koop

'n Persoon of bestuurder van die perseël, waar honde of katte of perde te koop aangebied word, sal behoorlike rekords van inenting hou en sal nie sulke diere oornag alleen laat nie.

7.10 Vuurwerke

Geen persoon mag deur vuurwerke of enige ander manier 'n dier terroriseer of stres of vrees aan enige dier veroorsaak nie.

7.11 Mishandeling van diere

Enige persoon wie:-

- (a) 'n dier vermink op enige manier, wat die afsny van 'n stert of oor insluit, behalwe in die geval van skaars honde rasse, waar hofuitspraak bestaan wat wel die afsny van sterte goedkeur, of in gevalle waar 'n veearts dit kan regverdig (bewyse moet dan gelewer word);
- (b) aanhou, besit, koop, verkoop, oplei, teel of wat onder sy beheer en kontrole van 'n dier, vir die doeleindes van 'n geveg met 'n ander dier;
- (c) byt, provokeer of aanhits van enige dier om 'n ander dier aan te val of om aan te hou met die geveg van 'n ander dier;
- (d) dieregevegte bevorder vir finansiële voordeel of as 'n vorm van vermaak;
- (e) toelaat dat enige van die dade volgens (a) tot (d) op enige perseel of plek, in hy of sy besit of onder hom of haar beheer, plaasvind;

- (f) besit, gebruik of beheer enige persele of plek vir die doel of gedeeltelik vir die doel om dieregevegte aan te bied op sodanige persele of plek, of wie optree as die bestuur van so 'n perseel of plek, of wie toegang van enige persoon of dier, tot sodanige perseel of plek, of
- (g) is teenwoording as 'n toeskouer by enige persele of plek waar enige daad, soos vewys in artikels (c) en (d), plaasvind, of waar voorbereidings getref word, vir sulke daad, is skuldig aan 'n oortreding en kan gevonnissen word tot 'n boete van R20 000.00 (tweintig duisend rand) of kan tronkstraf vir 'n periode, van nie meer as twee jaar, opgelê word.
- (h) terwyl aangekla, word dit vermoed, behalwe as die teendeel bewys word, dat die dier wat op enige perseel of plek, die eiendom is of onder die beheer van die eienaar van sodanige perseel of die plek is, of die eiendom of onder die beheer van die persoon, wie die perseel of plek beheer;

Is skuldig en in teenstrydigheid met die Dierbeskermings Wet No. 71 van 1962, en sal aangekla word in terme van hierdie Wet. Die SAPD sal in terme van die Kriminele Prosedure Wet 5 van 1977 en die Dierbeskermings Wet 71 van 1962 en die SAPD se Staande Orde 33, optree, wanneer 'n oortreder van hierdie Verordening gearesteer word. Die SAPD sal ook spesifiek sake van hondegevegte en bistaliteitsake hanteer.

Sake wat handel oor die behandeling van siek diere en sterilisasie kan ook na die Peoples Dispensary for Sick Animals (PDSA) verwys word.

7.12 Die aanhou van varke in residensiële areas word verbied.

8. Pligte van die Skutmeester

'n Skutmeester:-

- (a)
 - i) moet die skut tussen 09h00 en 16h00, vanaf Maandag tot Vrydag en Saterdag tussen 09h00 en 11h00 oophou, behalwe as sodanige dag 'n publieke vakansiedag is;
 - ii) kan, nieteenstaande die bepalings van sub-artikel (i), die skut oophou vroeër of later, soos deur hom of haar besluit, op voorwaarde, dat 'n maklike erkende kennisgewingbord by die hek van die skut, vertoon sal word;
- (b) moet 'n dier inneem en beheer oor die dier neem wat na die skut gebring is, met die doel om dit te skut gedurende die ure wanneer die skut oop is en moet, op voorwaarde van verdere bepalings van hierdie Verordening, die dier in die skut aanhou, voorsiening maak dat die Skutmeester mag weier om 'n dier te ontvang, of kan enige dier, wat hy of sy redelik glo, nie wetlik in sy sorg geplaas of geskut was nie, weier;
- (c) moet 'n register, waarin die volgende besonderhede van enige dier opgeteken is, hou:-

- i) die naam van die gemagtigde beampte of die naam, residensiële adres en telefoon nommers van enige ander persoon, wie die dier na die skut gebring het;
 - ii) die tyd en datum wanneer die dier geskut was;
 - iii) die plek waar die dier gevind was, onmiddelik voordat dit geneem was;
 - iv) die datum en tyd wanneer die dier geneem was, voordat dit geskut was;
 - v) die rede hoekom die dier geskut was;
 - vi) 'n verduideliking van die dier, wat die geskatte ouderdom, ras, geslag, kleur, merke en enige besering op die dier insluit, toe die Skutmeester die dier ontvang het;
 - vii) of die dier vrygelaat, verkoop of uitgesit was en die datum en tyd van sodanige vrylating, verkope of uitsit;
 - viii) die bedrag geld aangegaan vir sodanige vrylating of verkope;
- (d) moet toesien dat die skut en al die toerusting wat gebruik word met die skut van die diere, te alle tye in 'n skoon toestand is en vry is van vlieë en ander peste, tot die bevrediging van die Munisipaliteit se Direkteur: Gemeenskapsdienste;
 - (e) moet toesien dat elke dier in die skut behoorlik gevoer en versorg word;
 - (f) moet enige vroulike dier, wat op hitte is, isoleer;
 - (g) moet alle redelike stappe neem om gevegte tussen diere in die skut, te voorkom;
 - (h) moet enige siek dier van gesonde diere isoleer, sodanige dier moet deur 'n veearts ondersoek word en alle stappe moet geneem word om die uitgawes, wat aangegaan is van die eienaar te verhaal, indien die identiteit en adres van die eienaar bekend is;
 - (i) moet alle nodige stappe neem om die dier te vernietig, soos voorgeskryf deur die Verordening en enige uitgawes van die eienaar verhaal, indien die eienaar se identiteit en adres van die eienaar bekend is;
 - (j) moet alle redelike stappe neem om te verseker dat die diere hervestig en nie uitgesit word nie;
 - (k) moet die voorgeskrewe fooi vir die skut en die daaglikse aanhou fooi ten opsigte van die dier, hef;
 - (l) kan enige dier laat steriliseer en dit met identifikasie, soos bepaal deur 4.6(c) voorsien en die kostes daarvan van die eiser verhaal, behalwe as die eiser aanvaarbare motivering kan gee, waarom die dier nie gesteriliseer moet word nie en permitte soos bepaal in artikels 4 en 5, kan voorsien;
 - (m) kan enige dier laat steriliseer en dit met identifikasie, soos bepaal deur 4.6(c) voorsien, voordat die dier van die skut aan enige ander persoon as die oorspronklike eienaar daarvan, vrygelaat word; en
 - (n) moet enige dier, wat deur 'n gemagtigde beampte in aanhouding geneem is, skandeer vir die doel om 'n mikro-skyfie te vind.

9. Vrystellings en Voorwaardes

- 9.1 Die Munisipaliteit mag enige aansoek vir goedkeuring weier of toestaan en sekere voorwaardes, vereistes of beperkinge voorstel, indien dit toepaslik geag word.

- 9.2 Die Munisipaliteit mag met goed bedagte redes, enige persoon en/of klas van persone, van enige of al hierdie vereistes, voorwaardes of beperkings, vrystel, indien dit toepaslik is.
10. Aanspreeklikheid
- Die Munisipaliteit, gemagtigde beampte of werknemer, sal nie vir enige besering, wat aangedoen of siekte wat opgedoen was, aan enige hond of kat, as gevolg van sy beslaglegging, skut, aanhouding of uitsit, in terme van hierdie Verordening, of ander wettige bepalings, aanspreeklik wees nie.
11. Algemene Bepalings
- 11.1 Reg van toegang en inspeksie:-
- (a) Enige gemagtigde persoon is gevolmag om enige persele, binne die Munisipale area, te inspekteer, om vas te stel of daar nakoming met die bepaling van hierdie Verordening is.
 - (b) Die gemagtigde persoon, wanneer hy persele ingaan, in terme van sub-artikel (11.1), moet op versoek deur enige persoon, homself identifiseer deur 'n geskrewe bewys van magtiging, te toon.
 - (c) Die gemagtigde persoon kan deur 'n persoon vergesel wees, wat gereedelik vereis word, om te help met die uitvoering van die inspeksie.
- 11.2 Enige persoon wat weier om toegang te gee aan 'n gemagtigde persoon, wat versoek om toegang te kry tot enige land of persele, of om hom verhinder in die uitoefening van sy pligte onder hierdie Verordening of wie weier om hom inligting te gee, wat wettiglik deur hom vereis word, of wie valse of misleidende inligting gee, terwyl hy weet dat dit vals en misleidend is, sal skuldig wees aan 'n oortreding.
12. Dien van dokumente en proses
- 12.1 Wanneer ookal 'n kennisgewing, of bevel of ander dokument gemagtig is of vereis word, om op 'n persoon in terme van hierdie Verordening toegedien te word, sal daar aangeneem word, dat dit doeltreffend en voldoende op sodanige persoon gedien is:-
- (a) wanneer dit aan hom persoonlik afgelewer was;
 - (b) wanneer dit by sy plek van woning of besigheid in die Republiek gelaat was, met 'n persoon wat klaarblyklik ouer as sestien jaar was;
 - (c) wanneer dit met geregistreerde pos na sy laaste bekende woon of besigheidsadres in die Republiek gepos was en 'n erkenning van die pos daarvan, is voorsien;
 - (d) as sy adres in die Republiek nie bekend is, wanneer dit op sy agent of verteenwoordiger in die Republiek op so 'n wyse gedien is, soos bepaal in sub-artikel 12.1(a), (b) of (c); of
 - (e) as sy adres of agent in die Republiek onbekend is, wanneer dit by 'n opvallende plek is op die onroerende eiendom (indien enige), waarop van toepassing.

- 12.2 Wanneer enige kennisgewing, eis, bevel of ander dokument, soos voorstaande, gemagtig is of vereis word om op die persoon te dien, vir die rede, dat hy die eienaar of besitnemer of een of ander reg in terme van die onroerende eiendom hou, sal dit nie nodig wees om hom te noem nie, maar sal dit voldoende wees as hy daarin beskryf word as die eienaar, besitnemer of houer van sodanige onroerende eiendom of ander reg, hoe ookal sy.
13. Oorgangs voorwaardes
- 13.1 'n Persoon wie, tydens die inwerkingtreding van hierdie Verordening, 'n groter aantal diere as die getal onder artikel 3, of 'n besigheid bedryf, soos onder artikel 8, kan hy voortgaan om 'n groter getal van diere aan te hou of om die besigheid te bedryf, maar mag nie enige dier, wat doodgaan of weggedra word wat meer as daardie getal is, vervang nie, of op so 'n mate verander, trek, huur, onderverhuur of besigheid verkoop, tensy toestemming vanaf die Munisipaliteit ontvang is om die getal te oorskry, of die Munisipaliteit in kennis stel van sodanige verandering, trek, huur, onderverhuur of verkope.
- 13.2 In die geval van sodanige verlenging, verandering, trek, huur, onderverhuur of verkope van die besigheid, kan die Munisipaliteit sekere voorwaardes en beperkings instel, soos dit nodig ag.
- 13.3 Eienaars van ongesteierde honde en katte word 'n 6 maande periode (van 1 April 2015) gegee, waarin hul honde en katte geregistreer kan word.
- 13.4 Kateienaars word 'n 6 maande periode gegee, waarin hul moet seker maak dat hul katte mikro-skuifies of halsbande, met die inligting van hul eienaars, het.
- 13.5 Die bepalings oor die sterilisasie van honde en katte neem 6 maande na 1 April 2015, op 1 Oktober 2015, in aanvang.
14. Boeteklousule
- 14.1 Enige persoon wie voortgaan om 'n oortreding te pleeg, nadat 'n kennisgewing op hom gedien is, of wat versuim om sodanige oortreding te staak, nadat hy skuldig bevind is aan sodanige oortreding, is skuldig aan 'n herhalende oortreding.
- 14.2 Enige persoon wie enige bepalings van die Verordening oortree of nie nakom nie, 'n kennisgewing of 'n voorwaarde neergelê volgens hierdie Verordening, 'n valse verklaring aflê, of vals, verkeerde of misleidende inligting gee, sal skuldig wees aan 'n oortreding en gevonnissen word tot:-
- (a) 'n boete of tronkstraf of beide sodanige boete en sodanige tronkstraf;
 - (b) in die geval van 'n herhaalde oortreding, aan 'n addisionele boete of aan 'n addisionele periode van tronkstraf of aan sodanige addisionele tronkstraf, sonder die opsie van 'n boete of aan beide sodanige addisionele boete en tronkstraf, vir elke dag waarop sodanige oortreding aanhou; en

- (c) 'n verdere bedrag gelykstaande aan enige koste en uitgawes, soos vasgestel deur die hof, wat deur die Munisipaliteit aangegaan was, as die gevolg van sodanige oortreding of versuim, plus die koste om die dier te steriliseer.

14.3 Verder, kan enige hof enige persoon, wat nie enige dier volgens die bepalings van hierdie Verordening aanhou nie, vonnis, en kan beveel dat die dier uitgesit word.

15. Algemeen

Oortredings en boetes

15.1 Enige persoon wie:-

- (a) enige bepaling van hierdie Verordening oortree of nie nakom nie, of enige bevel of kennisgewing, wat wettiglik uitgereik is, ignoreer, pleeg 'n oortreding; en
- (b) aanhou om te oortree, nadat 'n kennisgewing op hom of haar gedien is om die oortreding te staak, of nadat hy of sy gevonnissen is vir sodanige oortreding, sal skuldig wees aan 'n herhalende oortreding.

15.2 Enige persoon wat gevonnissen is vir 'n oortreding onder hierdie Verordening, sal beboet of tronkstraf, vir 'n periode, wat nie twee jaar oorskry, opgelê word.

15.3 In die geval van 'n herhalende oortreding, 'n addisionele fooi of gevangenstraf vir 'n periode wat nie 10 dae, vir elke dag wat so 'n oortreding aangaan, kan beide 'n boete en gevangestraf opgelê word.

15.4 Enige hof wat 'n persoon wat 'n dier nie volgens die bepalings van die Verordening aanhou nie, kan ook tot die straf, soos in sub-artikel 15.2, ook beveel dat die betrokke dier uitgesit word en dat 'n gemagtigde beamppte sodanige dier kan uitsit.

16. Korttitel en inwerkingtreding

Hierdie Verordening staan bekend as die Verordening oor die Regulering van die aanhou van honde en katte en ander diere in die George Munisipale area en sal in werking tree op die datum waarop dit in die Provinsiale Gazette gepubliseer word.